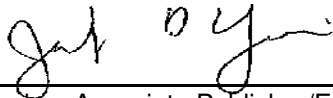


# PROOF OF PUBLICATION

STATE OF WISCONSIN }  
MILWAUKEE COUNTY } S.S.

Joe Yovino, being the first duly sworn on oath, says that he or she is the Associate Publisher/Editor of THE DAILY REPORTER, which is a public newspaper of general circulation, printed and published daily in the English language in the City of Milwaukee, in said county, and fully complying with the laws of Wisconsin, relating to the publication of legal notices; that the notice of which the printed one attached is a true copy, which was clipped from the said newspaper, was inserted and published in said newspaper on

May. 29, 2020



\_\_\_\_\_  
Joe Yovino, Associate Publisher/Editor

Sworn to me this 29th day of May 2020



\_\_\_\_\_  
Russell A. Klingaman  
Notary Public, Milwaukee County, Wisconsin  
My Commission Is Permanent



# PROOF OF PUBLICATION

**FROM THE OFFICE OF GEORGE  
L. CHRISTENSON  
MILWAUKEE COUNTY CLERK  
County Ordinance No. 20-5  
File No. 20-369  
AN ORDINANCE**

The County Board of Supervisors of the County of Milwaukee does ordain as follows:

**Section 1.** The specified sections of Chapter 1 of the Milwaukee County Code of General Ordinances is hereby amended as follows:

**Section 1.01. - Meetings.**

(a) *Annual meeting.* The statutory or annual meeting of the county board shall be convened on the Monday next succeeding the regularly scheduled monthly meeting on the first Thursday in November for the purpose of considering reports of the committee on finance and audit on new positions for the next fiscal year as well as recommendations for amendments to the executive's budget.

**Section 1.04. - Voting.**

(a) *Quorum.* A majority of the supervisors entitled to a seat in the county board shall constitute a quorum for the transaction of business. All questions shall be determined by a majority of the supervisors present, unless otherwise provided by statute or this chapter.

(b) *Abstain from voting.* No member shall abstain from voting on a question when put, except by specific notice of that supervisor. Any member wishing to abstain from voting is expected to make a brief verbal statement of the reason for abstaining.

(c) *Roll call votes obligatory; when.* When a roll call is ordered by the chairperson, the county clerk shall call the roll in alphabetical order, with the chairperson voting last, and give to the chairperson the final number of those voting on each side. Debate shall be closed with the commencement of the roll call and no motion shall be received until after the result of the voting is announced by the chairperson. All members shall be in the board room when voting. A roll call vote must be taken on:

(1) Each committee report, and any proposed amendment(s) thereto. A motion to place on file may be by voice vote by unanimous consent;

(2) Any action under suspension of the rules;

(3) Any action to suspend the rules, unless unanimous consent be

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granted;

(4) Elections to offices and positions to be filled by the county board unless otherwise provided by law.

## Section 1.08. - Specific motions.

(g) Motion to reject or place on file. A motion to reject or place on file shall be treated as a motion to postpone indefinitely and shall be applicable to main questions only. A negative vote on such motions cannot be reconsidered and cannot be renewed as to the same main question at the same meeting. A motion to place on file may be taken by voice vote without objection.

## Section 1.10. - Fiscal notes.

(1) No resolution or ordinance from any county officer, board or commission shall be considered by the county board, or by any committee thereof to which it has been referred, unless it shall have attached as a note a reliable estimate of the fiscal effect which has been reviewed per the policies established by the comptroller. The fiscal note shall be prepared on a form approved by the committee on finance and audit and supplied by the comptroller. With respect to any collective bargaining agreement, any amendment to chapter 17 of the general ordinances affecting wages and benefits, or any other action affecting the wages or benefits of county employees, the fiscal note should include as much information as is practicable under the circumstances about the fiscal impact upon each department affected by the action. In addition, at minimum, the fiscal note shall set forth details of the projected annual countywide fiscal impact projected for each year of the collective bargaining agreement or, in the case of any other action effecting the wages or benefits of county employees, shall contain information regarding the projected fiscal impact at least five (5) years into the future. When necessary, affected agencies may assist the author in the preparation of the fiscal note.

(2) The requirement of this section shall apply to original measures or submissions, substitute amendments and minority reports only, and not to, amendments.

## Section 1.11 - Standing committees.

(1) As soon as practical, after his/her election, the following standing committees shall be appointed by the chairperson of the

county board. Each committee shall consist of five (5) members except as herein otherwise specifically designated.

(1) Committee on personnel.

(2) Committee on finance and audit. (Seven (7) members.)

(3) Committee on audit. (Six (6) members.)

(4) (3) Committee on health and human needs.

(5) (4) Committee on judiciary, safety and general services.

(6) (5) Committee on parks, energy and environment.

(7) (6) Committee on transportation, public works and transit.

(8) (7) Committee on economic and community development.

(9) (8) Committee on intergovernmental relations.

(10) (9) Committee of the whole (Eighteen (18) members, chairperson being the chairperson of the county board and vice-chairperson being the first vice-chairperson of the county board.)

(2) The chairperson of the board shall make written announcement of his/her appointments to said committees and shall designate a chairperson and vice chairperson of each of said committees. The order of members' names in the chairperson's written announcement of appointment shall denote seniority on the county board. In case of a vacancy in any committee, the same shall be filled by written appointment by the chairperson of the board. The chairperson of the board may, at his/her discretion, change the composition of said committees including the designation of the chairperson and vice chairperson. In the event of a vacancy in the office of the county board chairperson and a successor is elected, such successor may, after his/her election and in the manner hereinabove provided, make any changes in committee appointments.

(3) The duties of such committees shall be to have charge of the several matters hereinafter designated but such enumeration shall not be exclusive:

(1) Committee on personnel. All matters affecting reclassification and compensation, hours, benefits and conditions of employment of county offices and employe personnel, and the classification and pay of additional positions; departmental policy of the civil service

commission; administration of employes' aware program. (The chairperson of the committee on personnel may appoint an advisory committee consisting of the county executive or his designee, the corporation counsel or designee, the director of the department of administrative services or designee, the director of human resources or designee, and a member of the committee to assist in the administration of the employes' aware program.)

Departmental policy of the department of human resources and divisions of employe benefits and labor relations.

(2) Committee on finance and audit.

1. Departmental policy of: the general office of the county executive, general office of the county board, department of administrative services (divisions of administration and fiscal affairs, information management services, procurement, and risk management), office of the comptroller, and county treasurer.

2. County budget matters.

3. Issuance of debt.

4. Taxation matters.

5. Insurance matters.

6. Need for additional positions.

7. Policy matters having a fiscal effect outside the current budget.

~~8. Review the audit reports of the office of the comptroller to ensure that departments implement the many program improvements and cost saving recommendations so that the county board can provide the best service at the lowest possible cost to the taxpayer. (The chairperson of the committee on finance and audit may appoint a special audit implementing subcommittee to spearhead the implementation of audit report recommendations.)~~

~~9.~~ 9. Other financial matters of concern to the county.

~~10.~~ 10. The committee shall have the authority to review and approve, without county board approval, departmental requested waivers of section 9.05(3)(a) of county ordinances related to contractual services with former employees.

(3) Committee on audit.

1. Review the audit reports of the office of the comptroller to ensure that departments implement the many program improvements and cost saving recommendations so that the county board can provide

the best service at the lowest possible cost to the taxpayer.

2. The chairperson on the committee on audit may appoint a special audit implementation subcommittee to spearhead the implementation of audit report recommendations.

(4) (3) Committee on health and human needs.

1. Departmental policy of the department of health and human services, including the divisions of behavioral health, housing, economic support, delinquency and court services, disabilities services, management services, and director's office.

2. All policy matters related to the office for persons with disabilities in the department of administrative services.

3. All matters pertaining to the department on aging.

4. All matters pertaining to the department of family care.

5. All matters pertaining to the county executive's veterans service office.

(5) (4) Committee on judiciary, safety and general services.

1. Departmental policy of: county funded state court services, family court commissioner, jury commission, register in probate, election commission, county clerk, register of deeds, sheriff, medical examiner, legal resource center, district attorney, department of child support services, and corporation counsel.

2. (a) Actions against the county. The committee, subject to full board approval, shall review and approve all matters pertaining to suits or claims against the county, including, but not limited to, those for personal injuries and property damage. The committee has the authority to approve the payment of claims against the county in an amount not to exceed ten thousand dollars (\$10,000.00) and to recommend to the board approval or denial of claims and settlements in excess of that amount.

(b) Actions initiated by the county. The committee, subject to full board approval, shall approve the initiation of all suits or claims by the county against other persons or entities where the amount claimed exceeds ten thousand dollars (\$10,000.00) or where the rights sought to be declared have a potential fiscal effect on the county in excess of ten thousand dollars (\$10,000.00),

except when the county executive approves the initiation of an action on an emergency basis to preserve property, to protect the life, health or welfare of persons, or to obtain an injunction on the grounds set forth in ch. 813, Wis. Stats. In the event the county executive authorizes corporation counsel to file an action under this exception, corporation counsel shall provide a report to the committee members and the county board chair immediately upon receiving the county executive's authorization of such action.

(c) *Intracounty actions.* The committee shall consider and make its recommendation thereon to the full board, subject to its approval, the initiation of all actions for declaratory, injunctive, or other extraordinary relief or remedy seeking to preserve, enforce, and defend the legal rights and status of the board in relation to other branches of county government or elected county officials. The committee, subject to full board approval, may delegate authority to the board chairperson, as head of the department of the county board, to initiate such an action on behalf of the board.

(d) Corporation counsel is delegated authority to approve the payment of claims against the county where the payment is no more than five hundred dollars (\$500.00), pursuant to s. 59.52(12)(b), Wis. Stats. Corporation counsel is authorized to initiate claims or suits by the county against other persons or entities where the amount claimed is ten thousand dollars (\$10,000.00) or less.

(e) The committee shall be afforded confidential access to privileged attorney-client communication and to attorney work product in any matter where Milwaukee County or a Milwaukee County officer or employe is named as a part in an action or proceeding arising from the commission of official duties.

3. Applications for licenses requiring action by the county board.

4. Purchase of surety bonds.

5. Actions required by state statute.

(6) ~~(5)~~ *Committee on parks, energy and environment.*

1. Departmental policy of department of parks, recreation and culture, zoological gardens, public museums, cultural activities (including funds for the arts), university extension service and the envi-

ronmental section of the department of administrative services.

2. County parks and parkways.

3. Matters pertaining to war memorial board of trustees.

4. All functions to be performed by a committee on extension education under the provisions of s. 59.56, Wis. Stats.

5. All matter pertaining to protection of environment including, but not limited to, water pollution, noise pollution, insecticide control, lakeshore erosion, community beautification activities. Land utilization, street tree replacement studies and other environmental control oriented programs over which the county has authority to exercise control or in relation to which the county has an interest requiring the expression of policy. The term "environment" also encompasses the concept of home environment as well as natural environment.

6. All matters relating to the conservation of all uses of energy, including, but not limited to, oil, coal, wind, nuclear and solar energy by all county programs and departments; the study, review and recommendation of plans and solutions relating to energy conservation in the county which may be submitted by citizens or county employes; and the review of energy-related matters being considered by the public service commission, which will have a substantial effect on the county. The term "energy" also encompasses residential energy as well as industrial and commercial energy.

7. All matters relating to the conservation of air, water, energy and all other resources.

8. All matters pertaining to consumer education and protection, particularly in the area of public service providers.

9. This committee shall exercise the powers and duties of county land conservation committees required by ch. 92, Wis. Stats., and the county board shall appoint the chairperson of the county agricultural stabilization and conservation committee created under 16 USC 590h(b), or a member of such committee designated by him/her, to the land conservation committee of the county.

(7) ~~(6)~~ *Committee on transportation, public works and transit.*

1. Departmental policy of: department of transportation airport, transportation services, highway, fleet

management, county transit/paratransit system, administration; and department of administrative services facilities management division, including architectural, engineering and environmental services and sustainability section.

2. All policy matter pertaining to the construction, maintenance, control and operation of county airports.

3. All policy matters pertaining to the construction and maintenance of highways and bridges, the vacation or opening of public streets, alleys, highways or roads, for which the county has jurisdiction.

4. All powers and duties authorized to be performed by the highway committee except those duties which are authorized to be performed by the highway commissioner as prescribed in state statutes.

5. All policy matters under its jurisdiction pertaining to railroads and public utilities in the county.

6. All policy matters relating to erection, major alterations and repair of public buildings and structures.

7. All mass transit policy matters pertaining to the establishment of fares and other charges, standard of service, route locations, capital improvements, and service improvements.

8. Approves all facility and land leases that are not referred to other standing committees.

9. All transportation matters pertaining to disadvantaged business enterprises.

(8) ~~(7)~~ *Committee on economic and community development.*

1. All matters pertaining to economic development and the disposition of excess or surplus county lands, including, but not limited to, sale or lease of property and financing terms.

2. The study and recommendations of all plans, projects and programs for fostering community development throughout the county, including the community development block grant program and funds for county housing purposes.

3. Overview the administration of all federal, state and local housing programs at the county level.

4. The study, review and recommendation of plans and solutions of housing persons displaced from their dwellings by governmental actions of the county or the municipalities which compose it, and the

coordination and implementation of relocation plans and procedures with federal, state and local agencies and units of government within the county.

5. Veterans' housing.

6. All policy matters pertaining to disadvantaged business enterprises.

(9) ~~(8)~~ *Committee on intergovernmental relations.* Proposed federal, state or municipal legislation affecting the county government. The committee shall consider such proposed legislation and make its recommendation thereon to the county board. Such recommendations until altered by the county board, shall guide the legislative representative of the county board in his/her work before legislative bodies. The committee may appear before the congress, the legislature and the government bodies of other municipalities, as may be necessary on pending legislation to support policies advocated by the county board.

(10) ~~(9)~~ *Committee of the whole.* Subject to the call of the county board chairperson to review matters and files to be acted upon by the county board.

**1.13. - Committee meetings.**

(4) *Committee motions and voting procedure.*

(1) If an item is on the agenda "for information only unless otherwise directed by the committee," a motion to place on file is not needed. The committee will just receive the item. However, if a motion is made and a roll-call vote is taken, said item will be reported to the board.

(2) If a motion to adopt an item fails, it will be reported to the board with a recommendation to reject.

(3) To take any other action on an item after it has been rejected, a motion to reconsider must be made and passed. Only a supervisor who voted on the prevailing side of the rejection action can make the motion to reconsider.

(4) If a motion to place on file or to reject fails, the matter is still before the committee and another motion shall be in order.

(5) If a motion to adopt, postpone indefinitely, place on file or reject receives a tie vote in committee, the matter shall be reported to the county board without recommendation.

(6) If a motion to refer, lay over or amend receives a tie vote, said motion fails and another motion is in order.



(7) No motions, or debate on motions, shall be made from the chairperson. If the chairperson wishes to make, or to speak at any length on, a motion, the chairperson shall turn over the gavel to the vice chairperson or next senior member for the remainder of the item. This provision shall not prevent a chairperson from questioning a witness concerning testimony being presented to the committee.

(8) Once a committee comes to order, an attendance is taken to establish a quorum, any item on the agenda can only be removed by concurrence of a majority of the committee. Prior to the committee coming to order, an item can be removed by the chairperson.

(9) Supervisors wishing to add their names as co-sponsors of resolutions or ordinances introduced by supervisors, shall, prior to a committee's final vote on said resolution or ordinance, obtain the permission of the primary sponsor, and be added if there is no objection from a member of the committee. If there is objection, a vote of the committee shall be taken regarding adding the co-sponsor(s).

**1.14 - Committee reports.**

(b) Committee report laid over on request. Action on the report of any committee as defined in subsection (a) of this section, when it first makes its report, shall be deferred until the next meeting of the county board if one-third (1/3) of the members present and voting so request. If the report of said committee is re-referred to said committee or any other committee and thereafter the subject matter is again returned to the county board, action thereon shall not be deferred except as provided by section 1.15 or by a majority vote of the members present.

The above rules shall not apply to the report of the committee on finance and audit on the executive budget, including resolutions proposing tax levies and recommendations on new positions to become effective in and included in the budget for the following fiscal year. The rule shall also not apply to passive review public contracts subject to s. 59.52(31)(b)(1) and (2), Wis. Stats., or county executive appointment confirmations subject to s. 59.17(2)(b)(1), Wis. Stats.

**1.15 - Referring resolution, ordinance or report for legal opinion.**

With affirmative vote of one-third

(1/3) of the members present and voting at any meeting of the county board, any resolution, ordinance or report shall be referred to the corporation counsel and the written opinion of the latter secured as to the legality of the resolution or ordinance offered, or the recommendation made in any report presented to the county board for adoption. Such opinion shall be rendered to the county board at its next meeting held not less than forty-eight (48) hours after the referral, and copies distributed to all members. The resolution, ordinance or report, shall not be referred again to the corporation counsel for a legal opinion except by a majority vote of the members present.

The above rule shall not apply to:

(1) The report of the committee on finance and audit on the executive budget.

(2) Resolutions proposing amendments to the executive budget.

(3) Resolutions proposing tax levies.

(4) Recommendations of the committee on finance and audit on new positions to become effective in, and to be included in, the budget for the following fiscal year.

(5) Passive review public contracts subject to s. 59.52(31)(b)(1) and (2), Wis. Stats.

(6) County executive appointment confirmations subject to s. 59.17(2)(b)(1) Wis. Stats.

**1.16. - Requests relating to personnel matters.**

(b) *New positions.* Personnel requests relating to the creation of new positions, which are required during a current fiscal year because of an urgent need, may be submitted to the county board at any time during such year. All requests for current year new positions shall be referred to the committee on finance and audit, and the committee on personnel, and must include a report from the department of human resources and the department of administrative services. The department of administrative services shall submit a recommendation regarding the necessity for the requested positions to the committees on finance and audit and personnel, and the department of human resources shall submit its recommendations regarding the classification of new positions to be created during the current budget year as soon as reasonably possible. The department of administrative services shall

submit recommendations regarding the necessity for new positions requested for the next fiscal year to the county executive for consideration in the subsequent year's executive budget. The committee on finance and audit shall review positions recommended for creation by the county executive during its hearings on the executive budget and report its recommendations to the county board on or before the Monday next succeeding the regularly scheduled monthly meeting on the first Thursday in November. The department of human resources shall submit its recommendations to the committee on personnel regarding the classification and pay for new positions for the next fiscal year recommended by the county executive and/or committee on finance and audit, so the committee on personnel can report its recommendations to the county board on or before the Monday next succeeding the regularly scheduled monthly meeting on the first Thursday in November.

(c) *Review by county board staff.* If the personnel request is for new positions in the department of administrative services, it shall also be reviewed by the county board staff and a recommendation regarding the necessity for the requested positions submitted to the committee on finance and audit. If the request relates to reclassifications, reallocations, appointments at an advanced step of the pay range and advancements within the pay range in the department of human resources, it shall be reviewed by the county board staff and processed in a manner consistent with the authority granted to the director of human resources under chapter 17 of the Code.

**1.19. - Reference of request for appropriation transfers to county executive.**

All requests for appropriation transfers between principal objects of expenditures or from the contingent fund shall be transferred to the county executive. He/she shall promptly consider same and report his/her recommendation thereon to the committee on finance and audit of the county board. If the county executive fails to make a recommendation within ten (10) days after the submission of a request for transfer, the committee on finance and audit may act upon such request without

his/her recommendation.

1.24. - Budgetary procedure.

**(3) Committee on finance and audit hearings.**

(a) The committee on finance and audit shall not commence its review of the executive budget until at least seven (7) days succeeding the official receipt of the executive budget, in order to allow finance and audit members and county board staff sufficient time to review the budget, meet with departmental personnel and develop suggested amendments to the budget. It is also intended that this period will be utilized by other supervisors not on the committee to familiarize themselves with the budget and to begin preparation of budget amendments so as to allow for introduction of those amendments during the time the committee is conducting hearings.

Section 2. The specified sections of Chapter 9 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

9.05. - Standards of conduct.

**(3) Limits on contact:**

(a) *Limits on contact with former county associates:* No former county public official or employee, for twelve (12) months following the date on which he/she ceases to be a county public official or employee, shall, for compensation, on behalf of any person other than a governmental entity, provide any contractual services to the county. Nor shall the former county public official or employee make any formal or informal appearance before or try to settle or arrange a matter by calling, writing, or conferring with, any county public official, officer or employee of the department with which he/she was associated as a county public official or employee. The county board committee on finance and audit may waive the contractual services prohibition provision of this section, first effective for county public officials or employees that separate service after April 1, 2016, upon the petition of the administrator seeking services with the former public official or employee that the need is critical to county operations.

(b) *Limits on contact with judicial or quasi-judicial proceedings:* No former county public official or employee for twelve (12) months following the date on which he/she ceases to be a county public official or employee, shall for compensation

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on behalf of himself/herself or any person other than a governmental entity, make any formal or informal appearance before, or try to settle or arrange a matter by calling, writing, or conferring with, any county public official, officer or employee of a department in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which was under the former public official's or employee's responsibility as a county public official or employee.

(c) *Limits on contacts with judicial or quasi-judicial proceedings where personally participated:* No former county public official or employee shall, whether for compensation or not, act on behalf of any party other than the county in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge in which the former public official or employee participated substantially as a public official or employee.

(d) *Consideration of exemptions:* The ethics board shall accept and review written requests by former appointed officials for an exemption from the prohibitions of (3), except that only the committee on finance and audit shall consider exemptions to the contractual services prohibition. Such exemption requests must be heard and deliberated during a properly convened open session of an ethics board meeting and must be included in a written ethics board opinion stating the reason(s) that the former appointed official should be exempt from the otherwise prohibited conduct.

Section 3. The specified sections of Chapter 15 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

15.215. - Investment of county funds.

(2) It is the policy of the county board to invest county funds, not immediately needed, in accordance with state statutes in order to obtain interest revenue for the county. To effectuate such policy, the county treasurer and/or appropriate designee, therefore, is authorized and directed to purchase, redeem, sell, exchange, invest or otherwise obtain or dispose of investments and securities as are authorized by statute, on a noncompetitive basis. The county treasurer shall submit on a quarterly basis, for review by the county board finance and audit committee, a report on the

investment policies and practices, the investment activities and the investment performance of the monies under the jurisdiction of the county treasurer.

15.23 - Payments to the county.

(2) *Protested payments.* If a check tendered to make any payment to the county is not paid by the bank on which it is drawn, or if a demand for payment under a debit or credit card transaction is not paid by the bank upon which demand is made, the person by whom the check has been tendered or the person entering into the debit or credit card transaction shall remain liable for the payment of the amount for which the check was tendered or the amount agreed to be paid by debit or credit card and for all legal penalties, additions, bank charges and a charge for administrative costs of twenty-five to fifty-five dollars (\$25.00 to \$55.00), to be set by the treasurer. The treasurer shall notify the committee on finance and audit within ten (10) days of changing the administrative fee to any amount within the aforementioned range. In addition, the department administrator to whom the check was tendered or to whom the debit or credit card was presented may, if there is a probable cause to believe a crime has been committed, provide any information or evidence relating to the crime to the district attorney for prosecution as provided by law. If any license has been granted upon any such check or any such debit or credit card transaction, the license shall be subject to cancellation for the nonpayment of the check or failure of the bank to honor the demand for payment authorized by debit or credit card.

Section 4. The specified sections of Chapter 17 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

17.05. - Determination of appropriate classification of position.

The following procedure shall be utilized to ensure that all county positions are appropriately classified based upon the duties assigned to and performed by the incumbents of the position:

(1) *Creation of additional positions.* Each department is limited to the total number of positions or staffing authorized in the adopted annual budget unless an increase or decrease in the number of authorized positions or staffing is approved by the county board,

subject to the review of the county executive, during the year. After adoption of the annual budget, the number of authorized positions or staffing may be increased or decreased in accordance with the following procedure:

(a) A request to increase or decrease the number of authorized positions within a department shall be forwarded to the county board chairperson by the appropriate department head with copies provided to the director of human resources and director of the department of administration. Such request shall include information with respect to the reason for the change as well as the qualifications, duties, title and compensation expected for any additional positions. All information shall be provided in the format designated by the director of human resources and director of the department of administration and included in the administrative manual.

(b) The director of the department of administrative services shall review each request with respect to need and appropriateness and file a report with the committee on finance and audit. The committee on finance and audit shall report its recommendation to the county board.

(c) The director of human resources shall review all requests for new positions or additional staffing to determine the appropriate classification and pay and file a report with the committee on personnel. The committee on personnel shall report its recommendation with respect to classification and pay to the county board.

Section 5. The specified sections of Chapter 32 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

32.01. - Creation and general organization.

There is hereby created pursuant to s. 59.035(1), Wis. Stats., an independent "department of administration" for the county which shall include the following major divisions:

- (a) Division of procurement.
- (b) Division of administrative services.
- (c) Division of fiscal affairs.

The departmental policies will be subject to the jurisdiction of the county board through its committee on financial and audit finance.

32.25. - Purchasing and contracting procedure.

- (8) *Exceptions.*

(a) Competitive bidding requirements of this chapter shall apply, except as follows:

(1) When, after soliciting sealed bids, it is determined by the procurement director or his or her designee, and verified by the purchasing standardization committee, that no valid bids have been received, the purchasing standardization committee may authorize procurement without competition.

(2) Purchases from a single source which, by their nature, are not adapted to award by competitive bidding as determined by the procurement director or his or her designee and approved by the purchasing standardization committee.

(3) Purchases from any federal, state or local governmental unit or agency of surplus materials, supplies, commodities or equipment, as approved by the committee on finance, personnel and audit of the county board, and otherwise when expressly authorized by the county board.

(4) Discretionary purchase of ten thousand dollars (\$10,000.00) or less as authorized in subsection 32.25(2) of this section.

(5) Any contract for a public works construction project where the director of the appropriate department or the department of administrative services or his/her designee has recommended, and the procurement director or his or her designee has agreed in writing, that the procurement director or his or her designee shall negotiate for the purpose of services, supplies, materials or equipment needed for such project.

(10) Comptroller responsibility.

(a) All contracts issued by the division shall be reported to and countersigned by the comptroller, under policies established by the comptroller, if he or she determines that the county has, or will have, the necessary funds to pay the liability that the county may incur under the contract. No contract is valid until so countersigned.

(b) The comptroller shall, on a monthly basis, summarize the reports received from the division concerning blanket contracts and provide one (1) copy to the committee on finance, personnel and audit and one (1) copy to the county executive.

(c) The comptroller shall deny payment for any payment request

submitted by a vendor to an administrator if all conditions of this chapter have not been met. The comptroller shall report such denials and the reason for denial to the committee on finance, ~~personnel and audit~~ along with the monthly report. In such cases, the administrator may appeal the decision to the committee on finance, ~~personnel and audit~~.

**32.81. - Budget Preparation.**

(1) Discharge all of the following duties in connection with the preparation of the county's annual budget, including those imposed by s. 59.84, Wis. Stats.:

(a) Develop procedures and format for the departments' submission of budget estimate for the county's fiscal year, including revenues, expenditures and capital improvement requirements.

(b) Compile county departmental estimate along with principal and interest requirements, cash appropriations for capital improvements, proposed new bond obligations, including interest and principal that would become due in the budget year, contingency requirements and an estimate of all revenues, including any surplus and the required tax levy, and transmit the report to the county executive and the county board.

(c) Assist the county executive in preparing the executive budget by:

(1) Developing a hearing schedule, and notifying county departments and other interested persons. Reviewing budget requests and recommending areas where changes may be considered.

(2) Reviewing budget requests and recommending areas where changes may be considered.

(3) Compiling the executive budget for transmittal to the county board.

(4) Distributing a professionally printed copy of the executive budget to each Milwaukee County Supervisor, any other elected county official who requests a copy, the committee coordinator for the committee on finance ~~and audit~~, and the staff of the research division of the comptroller's office. Budget documents will continue to be available on the county website for public access and historical purposes.

(d) Assist county board staff and the committee on finance ~~and audit~~ in publishing the executive budget.

(e) Assist the county executive and committee on finance ~~and audit~~

during the committee's budget hearing, including the preparation of amendments to the executive budget.

(f) Compile the adopted budget, including the preparation of the necessary resolutions for adoption by the county board.

(g) Distributing a professionally printed copy of the adopted budget to each Milwaukee County Supervisor, any other elected county official who requests a copy, the committee coordinator for the committee on finance ~~and audit~~, and the staff of the research division of the comptroller's office. Budget documents will continue to be available on the county website for public access and historical purposes.

(h) Make recommendations to improve procedures for developing and controlling the budget.

**32.91. - Carryover of Appropriations.**

Every appropriation excepting an appropriation for a capital expenditure, or a major repair (operating 8500 accounting series), shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure or a major repair shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of such appropriation for any capital expenditure or a major repair shall be considered abandoned if three (3) years pass without any expenditure from, or encumbrance of, the appropriation concerned. A final comprehensive annual list of capital projects and major repairs identified as completed and/or recommended to be abandoned shall be submitted to the committee on finance ~~and audit~~ of the county board by the department of administrative services division of fiscal affairs no later than May 1st of each year. The committee shall review this report and submit its recommendations to the county board. Failure of the county board to take action prior to June 1 shall be deemed approval of the department of administrative services recommendations.

**Section 6.** The specified sections of Chapter 34 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

**34.01. - Creation and general organization.**

There is hereby created pursuant

to s. 59.255, Wis. Stats., an independent "office of the comptroller" for the county. The standing board committees that the comptroller shall report to is ~~are~~ the committee on finance and ~~the committee on~~ audit.

**Section 7.** The specified sections of Chapter 36 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

**36.02. - Composition.**

The committee shall be comprised of:

(a) The director of the department of transportation, or alternate;

(b) The fiscal and budget administrator, or alternate;

(c) The comptroller, or alternate;

(d) The chair of the committee on transportation, public works and transit, or alternate;

(e) The chair and vice-chair of the committee on finance ~~and audit~~, or alternates;

(f) Two (2) appointments of the county executive who shall be mayors or village board presidents of municipalities located in Milwaukee County, or alternates;

(g) The chair of the county board shall appoint the chair of the committee.

**Section 8.** The specified sections of Chapter 44 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

**44.09. - Bid withdrawal, correction and contract award.**

(e) *Comptroller responsibility.*

(1) The comptroller shall, on a monthly basis, summarize the reports received from the division concerning public works contracts and provide one (1) copy to the committee on finance ~~and audit~~ and one (1) copy to the county executive.

(2) The comptroller shall deny payment for any payment request submitted by a contractor to an administrator if all conditions of this chapter have not been met. The comptroller shall report such denials and the reason for denial to the committee on finance ~~and audit~~ along with the monthly report. In such cases, the administrator may appeal the decision to the committee on finance ~~and audit~~.

**Section 9.** The specified sections of Chapter 46 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

**46.03. - Imprest fund for emergency aid.**

An imprest fund of three thousand five hundred dollars (\$3,500.00) is established for the use of the depart-

ment of human services in issuing aid checks in emergency cases where it is impossible to make aid payments in the regular manner. Examples of this condition are, but not limited to, client waiting for a replacement, payments where a computerized bookkeeping machine check cannot be prepared either because of insufficient information or computer inability, checks needed to cover transportation costs for medical treatment, or for special handling where a computerized check would be produced too late, although all computer edit checks are met.

The department shall obtain reimbursement for all such payments drawn on such imprest fund by including the items disbursed with a succeeding day's regular aid roll. The amount of deposit in the foregoing imprest fund, together with all unvouchered grants, shall at all times equal three thousand five hundred dollars (\$3,500.00). If payments exceed three thousand five hundred dollars (\$3,500.00), the director of the department shall notify the director of audits of the situation, giving the reasons this limit had to be exceeded. The comptroller shall notify the committee on finance ~~and audit~~ and the director of human services of necessary corrective action if he/she deems it necessary.

The director of the department of human services is authorized to sign checks drawn on this imprest fund and is also authorized to delegate his/her authority to sign checks to incumbents of the following positions in the department: deputy director I, accounting manager and business office supervisor. U.S. Bank is hereby designated as the depository for such imprest fund.

**46.09. - Purchase of care and services by the county.**

(8) *Comptroller Responsibility.*

(1) The comptroller shall, on a monthly basis, summarize the reports received from the division concerning purchase of service contracts and provide one (1) copy to the committee on finance ~~and audit~~ and one (1) copy to the county executive.

(2) The comptroller shall deny payment for any payment request submitted by a contractor to an administrator if all conditions of this chapter have not been met. The comptroller shall report such denials and the reason for denial to the committee on finance ~~and audit~~



along with the monthly report. In such cases, the administrator may appeal the decision to the committee on finance and audit.

**Section 10.** The specified sections of Chapter 56 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

**56.02. - Actions resulting in reduction of revenue.**

(1) Each person in charge of any county office, department, agency, or any nondepartmental account shall submit a written report to the county executive, the committee on finance and audit of the county board, the office of the comptroller and the department of administrative services whenever such person has reason to know or believe that a deficit of seventy-five thousand dollars (\$75,000.00) or more in any revenue account will occur for the division of county government under the supervision of that person. The report shall be submitted as soon as practicable, but shall not exceed ten (10) working days from the earliest date that such person first has reason to believe or know of the reduction of anticipated revenue. Such report shall include the reasons for the anticipated revenue deficit, as well as a recommended plan of action or alternatives to offset such deficit.

(2) The office of the comptroller shall report on a monthly basis on the financial condition of the county, which report shall identify all major variances from the adopted budget on a department-by-department basis, including any revenue deficits reported under section 56.02(1) and shall include the condition of each of the county's funds and the claims payable from the funds and shall also include an estimate of the receipts and disbursements for the current fiscal year.

(3) The county executive is authorized to request and develop a corrective action plan to address any such reported deficits if it is determined that timely action is necessary. If such a situation should occur, the corrective action plan shall be reported to the committee on finance and audit and the county board in time for their next regularly scheduled meetings for approval prior to implementation.

(4) The department of administration, with assistance from the office of the comptroller, shall monitor, on a timely basis, all depart-

mental operating statements during the fiscal year, for the purpose of identifying potential fiscal problems including projected revenue deficits. The department shall report all potential fiscal problems to the responsible department administrator.

(5) After the close of each fiscal year, the office of the comptroller shall prepare a report regarding the surplus/deficit from operations for the county, including a detail breakdown showing the surplus/deficit in both appropriations and revenues for each county department. Such report shall be submitted to the county executive, county board, and to all responsible department administrators. After receipt of the report, those responsible department administrators indicated as incurring a revenue deficit of seventy-five thousand dollars (\$75,000.00) or more shall, within ten (10) working days, respond in writing to the county executive, committee on finance and audit and the department as to why the revenue deficit occurred. However, in those cases where an appropriation surplus offsets the revenue deficit, department administrators are not required to respond regarding the revenue deficit.

**56.03. - Appropriation transfer procedures.**

(1) Departmental requests for appropriation transfers shall be submitted by the administrator of the department concerned to the department of administrative services. Such requests shall be made on forms and in the manner prescribed by the department and shall contain an explanation and justification for the need of the transfers requested, pursuant to the provision of s. 59.84(8), (9), Wis. Stats. Department administrators are prohibited from requesting contingency appropriation transfers in the form of a resolution or ordinance submitted to the county board.

(2) Except as noted in subsection (3), the county board shall not adopt any resolution or ordinance directing the department of administrative services to transfer contingency appropriations without having an appropriate appropriation transfer reviewed by the department, county executive, and the committee on finance and audit.

(3) Any resolution or ordinance directing the department of adminis-

trative services to transfer contingency appropriations shall have committee on finance and audit review and recommendation prior to county board consideration. If such resolutions or ordinances directing contingency transfers have not been reviewed by the department and the county executive, the fiscal note of the resolution/ordinance must include an explanation and justification as to why the matter was not or could not be processed through the established appropriation transfer procedure.

(4) County departments and divisions under the jurisdiction of the same department administrator such as the director of the department of human services, the director of parks, recreation and culture, etc. shall be considered as a single unit with reference to transfers of appropriations within the group.

**56.12. - Architectural and engineering planning revolving funds.**

(1) *Funds established.* There is hereby established a revolving fund of one hundred thousand dollars (\$100,000.00) to be used for architectural and engineering planning for public works projects under the jurisdiction of the department of administrative services and a revolving fund of fifty thousand dollars (\$50,000.00) to be used for architectural and engineering planning for projects under the jurisdiction of the county department of parks, recreation and culture.

(2) *Restrictions.* No expenditures shall be made from these funds unless the director of administrative services has certified that he/she is unable to provide the engineering or architectural services required, and that the employment of an outside architect or consultant is approved.

(3) *Responsibilities of director of administrative services.* It shall be the responsibility of the director of administrative services to supervise the use of these funds and to coordinate and to give general inspection to all public works projects undertaken by any department or agency of the county government.

(4) *Restoration of funds.* The revolving funds created by this section shall be restored by credits transferring costs to the public works projects for which the services were specifically provided. If subsequent to the preliminary planning and engineering, a project is abandoned or the county board does not appropriate funds for the project, the

county board's committee on finance and audit may recommend an appropriation sufficient to restore the fund to its original amount.

**56.22. - Assignment criteria, garaging and usage of county-owned automobiles.**

(3) Applications for changes to the assignment of county passenger cars shall be made to, and reviewed by, the department of administrative services during the annual budget review process. All departments/employees having use of a passenger car shall annually submit a report to the department of administrative services no later than July 31 which shall specify, for the previous twelve (12) months operation, the number and garaging location of vehicles assigned to the department, their use (whether by an employee or as a pool vehicle) and, if assigned to an employee, the title of that employee, their job function and the use of the vehicle, including personal and business mileage traveled with the vehicle. The department of administrative services will recommend any changes or additions to approved vehicle assignments to the committee on finance and audit. Assignment of all passenger cars shall be subject to the approval of the county board upon the recommendation of the committee.

(4) A department administrator may request seasonal twenty-four-hour assignment of a vehicle to an employee if:

(a) The employee's job duties include seasonal programs or activities; and

(b) The duties of the assignment meet at least two (2) of the criteria listed in section (1) above; and

(c) Documentation is available to support the minimum of four (4) overnight calls per month for the same period of the prior year; and

(d) A "pool" vehicle already assigned to the department is available for the employee to use overnight on a seasonal basis.

(5) A department administrator may authorize an employee to use a departmental assigned vehicle on a temporary basis beyond normal work hours to address extraordinary or emergency situations that may rise, however,

(a) The authorization is limited to a total of ten (10) working days; and

(b) The department administrator must advise the committee on finance and audit chairperson and

the department of administrative services of the necessity for such assignment within three (3) days of the assignment.

(6) Except upon county board authorization, county-owned passenger cars shall not be used for other than county purposes. When an employe uses a county vehicle as authorized for personal use, the county shall be reimbursed by the employe at the rate established by the Internal Revenue Service for tax deduction purposes, which rate shall automatically be adjusted to reflect the changed effective dates. No reimbursement to the county shall be required from members of the sheriff's department, or from investigators on the district attorney's staff, as law enforcement offers are exempted by federal regulations from this requirement. Such payment usage shall be reported on forms and in conformance with procedures approved by the county board's committee on finance and audit. "Personal use" shall be all mileage not eligible for reimbursement under the county's automobile mileage allowance rules, as defined in section 5.05 of this Code of General Ordinances. Personal use of a county vehicle shall be defined as the use of the vehicle between the employe's home and his/her work location. Any other such use is prohibited.

**56.30. - Professional services.**

**(2) Policy.**

(a) *General policy statement.* All county departments and institution administrators are responsible for procuring professional services and for soliciting, negotiating and entering into contracts as defined in accordance with the provisions of this section. However, the office of the county executive and the county board shall be exempt from the provisions contained herein with the exception of subsections (6)(a) and (6)(i) as shall be the department of administration with the exception of subsections (6)(a) and (6)(i) for the purpose of securing credit rating services related to debt issuance and administration.

(b) All county departments and institution administrators are responsible for procuring professional services and for soliciting, negotiating and entering into contracts as defined in accordance with the provisions of chapter 42 of these ordinances. Annual percentage goals for Target

Enterprise participation on professional services contracts will be established as set forth by chapter 42 of these ordinances.

(c) *Fiscal constraint statement.* Notwithstanding any other provisions of section 56.30, during a period of fiscal constraint the county board may, by resolution, adopt a procedure which requires the committee on finance, ~~personnel and audit~~ review and county board approval of all professional services expenditures prior to execution of said contracts.

(d) *Justification for using professional services.* Contract administrators must document in the contract file the justification for utilizing a professional service contract as opposed to completing the work using county staff. This justification may or may not employ a formal cost benefit analysis, depending on the circumstances.

(3) *Availability of appropriations.* It is the responsibility of the administrator who will sign a professional services contract to insure that monies are available in the appropriate budget account for the expenditures required by the contract.

(4) *Professional services procedures.* It shall be the responsibility of the administrator to conform with the following provisions when entering into a professional services contract and expending budgeted funds:

(a) *Professional services-Capital improvements.* The following conditions shall apply to all capital projects.

(1) During its annual budget process, departments shall provide a list to the county board of which capital projects contained in the recommended budget are intended to require the assistance of a professional services consultant. Departments are authorized to enter into contractual services or professional services agreements as may be required for specific capital improvement projects which have been approved by the county board through the budget process. Expenditures shall only be for those projects and professional services specifically identified in the budget write-up reviewed by the committee on finance and audit during the budget review process and approved by the county board, or for those projects approved by action of the county board. The budget write-up shall

contain specific information as to the scope of the project, professional services required and estimated cost of the professional services work to be performed. The appropriate department of transportation or the department of administrative services shall provide in February of each year to the committee on finance and audit and the committee on transportation, public works and transit an updated report on public works capital projects requiring the use of a professional services contract. Any professional services work costing more than twenty thousand dollars (\$20,000.00) which is not identified in the February report shall require county board approval.

(2) All contracts in excess of twenty thousand dollars (\$20,000.00) shall be solicited following a request for proposal process as outlined further in this ordinance.

**(8) Comptroller responsibility.**

(a) The comptroller shall, on a monthly basis, summarize the reports received from department administrators concerning professional services contracts and send one (1) copy to the committee on finance and audit and one (1) copy to the county executive and one (1) copy to CBDP.

(b) The comptroller shall deny payment for any payment request for professional services submitted by a contractor to an administrator if all conditions of this chapter have not been met. The comptroller shall report such denials and the reason for denial to the committee on finance and audit along with the monthly report. In such cases, the administrator may appeal the decision to the committee on finance and audit.

**Section 11.** The specified sections of Chapter 73 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

**73.09. - Powers, duties.**

The powers and the duties of the commission shall be as follows:

(8) The commission shall have the power to receive funds from both public and private sources and to disburse the same for programs relating to handicapped and disabled persons, subject to approval of the committee on finance and audit of the county board.

**73.12. - Expenditures of local, state or federal monies.**

(1) All recommendations of the commission which would require the

expenditure of local or substitute donor monies or of state or federal monies must be submitted initially to the committee on health and human needs for appropriate review and recommendation. No expenditure of local monies, substitute donor monies, or of state or federal monies shall take effect until approved by resolution of the county board after considering the recommendation thereon by the committee on health and human needs as well as the committee on finance and audit, nor until the county board has fixed a date for the commencement and maximum duration, not to exceed one (1) year, of said expenditure. The county board, by resolution, may authorize the commission to contract in its own name for care or services for handicapped and disabled persons with an appropriate nongovernmental agency, provided that all such contracts shall be reduced to writing and shall comply with the applicable provisions of the Code relative to purchase of care and service by the county.

**Section 12.** The specified sections of Chapter 201 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

**3.1. - County contributions.**

(1) *Budget contributions.* The pension board shall furnish to the county executive, prior to June 1 of each year:

(a) An estimated budget contribution required by the county, including contributions required under section 3.3, to pay the following year's cost and to amortize the amount of unfunded obligation of the county over such period of years as determined from time to time by the county board; and

(b) The established actuarial assumptions supporting said required amount. The county executive shall submit an informational report to the committees on finance and audit and personnel for consideration during the June committee cycle, providing for an estimated contribution amount for the next year's budget and shall include this pension contribution amount in the executive budget as transmitted to the county board. The final amount appropriated in the adopted budget by the county board shall be the estimated contribution to be expended in the budget year.

(2) *Current year contribution.* The pension board shall furnish to the



committees on finance and audit and personnel of the county board, annually, in time for the first county board committee cycle after the summer recess, a statement of the actual contribution required for the current year compared with the amount provided in the budget. The amount appropriated in the adopted budget shall be paid to the system, regardless of whether such amount is more or less than the actual amount required for that year, as determined by the final calculations prepared by the actuary retained by the system. Any overpayment or shortfall in the amount actually provided to the system for a given year shall be amortized over a five-year period, commencing with the contribution estimate prepared by the system's actuary for inclusion in the budget for the following year.

**8.23. - Notification of voluntary correction program submissions.**

The county corporation counsel, human resources director, and director of retirement plan services, jointly or separately, shall notify the county executive and county board within five (5) business days of any voluntary correction program (VCP) filing with the Internal Revenue Service related to errors in the administration of the retirement system. A written report shall be submitted as a file to the county board chairman for referral to the committee on finance and audit so that the public is informed.

**Section 13.** The specified section of Chapter 203 of the Milwaukee County Code of General Ordinances are hereby amended as follows:

**3.1. - Budget year contribution.**

The board shall furnish to the county executive, prior to June 1 of each year:

(a) An estimated budget contribution required by the county, including contributions required under section 3.3, to pay the following year's cost and to amortize the amount of unfunded obligation of the county over such period of years as determined from time to time by the county board (e.g., in 1992, estimate the cost to be incurred in 1993, which will be payable in 1994); and

(b) The established actuarial assumptions supporting the required amount determined under paragraph (a). The county executive shall submit an informational report to the committees on finance and audit and personnel for consideration during the June committee cycle, providing

for an estimated contribution amount for the next year's budget and shall include this pension contribution amount in the executive budget as transmitted to the county board. The final amount appropriated in the adopted budget by the county board shall be the estimated contribution to be expensed in the budget year, but paid to the system in the next following budget year (e.g., in 1992, an estimate will be made in the amount to be expensed in 1993 but paid in 1994).

**3.2. - Current year contribution.**

The board shall furnish to the committees on finance and audit and personnel of the county board, annually (beginning in June of 1992), in time for the first county board committee cycle after the summer recess, a statement of the actual contribution required for the current year compared with that amount, if any, provided in the budget. Any necessary corrections or adjustments may be addressed by the committees at that time. In order to meet the requirements of this chapter, the county board is authorized to levy a tax, annually, which tax shall be in addition to all other taxes such county board has been authorized to levy upon all taxable property, real and personal. Such tax shall be levied and collected at the same time and in the same manner as other county taxes are levied and collected according to the law.

**Section 14.** The provisions of this ordinance shall become effective upon passage and publication.

**Adopted by the Milwaukee County Board of Supervisors**

**May 14, 2020**

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