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A RESOLUTION/ORDINANCE

to enact the necessary ordinances related to File No. 13-397 to reform and define the roles and responsibilities of the Milwaukee County Board of Supervisors as the policy-making body and the administrative duties of the County Executive, as determined locally

WHEREAS, the Milwaukee County Board of Supervisors adopted File No. 13-397 on April 25, 2013, (Vote 15-3) to locally implement a package of reforms to define the roles and responsibilities of the Milwaukee County Board of Supervisors as the policy-making body and the administrative duties of the County Executive; and

WHEREAS, the resolution directed County Board staff to work in conjunction with appropriate departmental staff to develop recommended changes to the Milwaukee County General Ordinances to effectuate the policy decisions contained therein and submit them to the County Board for approval; and

WHEREAS, the recommended ordinance changes contained within this resolution reflect the staff recommendations to enact the policy that should be memorialized within the County ordinances; and

WHEREAS, one reform provision related to pension service credit for Supervisors will be dealt with separately because of the requirement for a formal actuarial report, Pension Board comment period, Pension Study Commission review and other due diligences that will be initiated as soon as the County’s actuary is able to complete the report; now, therefore,

AN ORDINANCE

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

SECTION 1. Chapter 1 of the General Ordinances of Milwaukee County is hereby amended as follows:

1.005– The Roles of the County Board and County Executive

Consistent with state law, the county board serves the residents of Milwaukee County as the policy-making body of county government and the county executive is the administrator of county government, responsible for carrying out policies adopted by the county board. The county executive administers adopted policies through his/her management of the day-to-day operations of Milwaukee County, which includes the

43 appointment of county department heads and supervision of their daily activities. The
44 county board of supervisors shall refrain from interfering in the day-to-day operations of
45 Milwaukee County and the county executive shall administer the policies adopted by the
46 county board as they both strive to best serve the public with the understanding that
47 may share differing viewpoints. Although the county executive has day-to-day control
48 over department heads and staff, the county board has the right to make reasonable
49 requests for information and/or compel attendance at county board meetings to fulfill its
50 policymaking and oversight responsibilities. This shall include members of the county
51 board or its staff seeking information from departmental staff to address constituent
52 concerns or policy-making questions related to the execution of their duties, but may not
53 in any manner provide administrative direction to departments under the authority of the
54 county executive.

55
56 The county executive, subject to the approval of the county board, or the county board,
57 subject to the approval of the county executive, shall have the authority to establish,
58 eliminate or modify departments and subunits thereof as part of the annual budget
59 process.

60
61 The county executive, county board of supervisors, and their respective staffs shall
62 receive a minimum of twelve (12) hours of training on roles and responsibilities of
63 county governance, budgeting, public records and open meetings laws, parliamentary
64 procedures, rules of decorum, conflict management and cooperative decision making
65 and ethics within six months after election or, in the case of county board staff, every
66 two years. The training shall be provided by an organization that has the expertise in the
67 area and which can include department or other elected officials. The County Clerk is
68 responsible for recording the attendance of all required participants which shall be
69 provided as an informational report to the County Board at the conclusion of the training
70 period.

71
72 In addition to the training outlined above, each department shall provide an
73 informational session to the county board of supervisors within three months or as soon
74 as reasonable after the seating of a new board on their respective departments. The
75 county executive, or his/her designee, shall be responsible for scheduling these
76 sessions which may be scheduled in large groups by functional area for ease of
77 scheduling and administration. The Office of the Comptroller shall evaluate the efficacy
78 of the program and make recommendations as deemed beneficiary.

79
80
81 **1.09. - Resolutions and ordinances.**

82 (a)

83 *Presentation and form.* Every resolution or ordinance presented to the
84 county board shall be in writing, and shall have a title expressing the

85 general subject of the resolution or ordinance. Every ordinance presented
86 to the county board, shall be approved as to legal form by the corporation
87 counsel prior to being considered by the county board. Resolutions which
88 direct that an action be taken shall specify by name and/or title the
89 official(s) responsible for taking such action.

90 (b)

91 *Reference to committees and withdrawal from committees.*

92 (1)

93 All resolutions and ordinances other than those embodied in a
94 committee report, as defined in section 1.14(a) of the Code, shall
95 be submitted to the county board chairperson, with a copy to the
96 county board chief committee clerk. The chairperson shall, within
97 five (5) days of receipt of the document, refer the resolution or
98 ordinance to the appropriate standing committee(s) for a report. To
99 eliminate the need for county staff and the public to attend multiple
100 committee hearings, the chairperson shall not refer files (e.g.
101 reports, resolutions, ordinances or appointments) to more than one
102 standing committee within one cycle unless required elsewhere in
103 state law or county ordinances. The date upon which the
104 chairperson refers the resolution or ordinance shall be deemed as
105 the official referral date to the committee(s). Said action by the
106 chairperson shall be deemed as authorization to the appropriate
107 standing committee chairperson(s) to schedule the resolution or
108 ordinance for review. If the chairperson does not refer the
109 resolution or ordinance to the appropriate standing committee
110 within five (5) days after receipt, that communication, report or
111 request shall automatically be placed on the agenda of the county
112 board at the next meeting for referral to the appropriate standing
113 committee.

114

115 1.11. - Standing committees.

116 (c)

117 The duties of such committees shall be to have charge of the several
118 matters hereinafter designated but such enumeration shall not be
119 exclusive:

120 (1)

121 Committee on finance, personnel and audit. All matters affecting
122 reclassification and compensation, hours, benefits and conditions of
123 employment of county offices and employe personnel, and the
124 classification and pay of additional positions; all professional
125 service contracts requiring county board review or approval, unless
126 otherwise prescribed by state or federal law; departmental policy of
127 the civil service commission; administration of employes' award
128 program. (The co-chairpersons of the committee on finance,
129 personnel and audit may appoint an advisory committee consisting
130 of the county executive or designee, the corporation counsel or
131 designee, the director of the department of administrative services
132 or designee, the director of human resources or designee, and a
133 member of the committee to assist in the administration of the
134 employes' award program.)
135 1.
136 Departmental policy of: the general office of the county
137 executive, general office of the county board, department of
138 administrative services (divisions of administration and fiscal
139 affairs, information management services, procurement, and
140 risk management), department of human resources and
141 divisions of employe benefits labor relations, office of the
142 comptroller, and county treasurer.
143 2.
144 County budget matters.
145 3.
146 Issuance of debt.
147 4.
148 Taxation matters.
149 5.
150 Insurance matters.
151 6.
152 Need for additional positions.
153 7.
154 Policy matters having a fiscal effect outside the current
155 budget.
156 8.

157 Review the audit reports of the office of the comptroller to
158 ensure that departments implement the many program
159 improvements and cost saving recommendations so that the
160 county board can provide the best service at the lowest
161 possible cost to the taxpayer. (The co-chairpersons of the
162 committee on finance, personnel and audit may appoint a
163 special audit implementing subcommittee to spearhead the
164 implementation of audit report recommendations.)

165 9.

166 Other financial matters of concern to the county.
167

168 **1.25. - Directives of the county board; how enforced.**

169 (2)

170 *County executive; responsibilities.* The County Executive is the
171 administrator of Milwaukee County, responsible for carrying out policies
172 adopted by the County Board through his/her management of the day-to-
173 day operations of Milwaukee County, which includes the appointment of
174 county department heads and supervision of their daily activities. It shall
175 be the responsibility of the county executive to see that all resolutions or
176 ordinances adopted by the county board are properly carried out and to
177 inform the county board should the officer, department head or board or
178 commission directed to perform a duty or make a report fail to do so within
179 a reasonable period of time.

180
181 Amend Chapter 1.26 Budgetary procedure by adding subsection (5):
182

183 (5) County Board Budget.

184 (a) The appropriations included in the 2014 adopted budget for the county board
185 of supervisors (Org. Unit 1000) shall serve as the baseline for any future increases in
186 funding to operate the county board. A vote of two-thirds of the members elect shall be
187 required to increase the appropriations in the county board budget from the amount
188 provided in the baseline budget. Appropriations that are included in the county board
189 budget which are applied to other county departments on a countywide basis, as
190 determined by the comptroller, shall be exempt from this requirement.

191
192 SECTION 2. Chapter 7 of the General Ordinances of Milwaukee County is hereby
193 amended as follows:

194
195

196 **7.01. - Creation.**

197 There is hereby created, ~~in the office of the county board,~~ effective
198 January 1, 2014, a ~~division~~ department of intergovernmental relations whose
199 general purpose shall be to obtain a greater share of federal and state funds for
200 the county.

201 **7.02. - Authority.**

202 The ~~division~~ department of intergovernmental relations shall ~~have~~
203 ~~authority to make studies and investigations as directed by the county board, and~~
204 ~~to~~ provide information with respect to fiscal matters related to the securing of a
205 greater share of federal and state funds, and to do whatever may be required in
206 promoting for the county a greater share of federal and state fund distributions.
207 The department shall serve both the county executive and county board and only
208 advance policies that have been approved by the county.

209 **7.03. - Personnel.**

210 (1)

211 Co-Directors. The ~~division~~ department of intergovernmental relations shall
212 be under the direction and supervision of a two co-directors of
213 intergovernmental relations; one appointed by the county executive ~~board~~
214 ~~chairman~~ and one by the county board chairperson and both confirmed by
215 the county board. The co-directors shall have the responsibility for the
216 operation of the ~~division~~ department and shall be authorized to discharge
217 all duties and responsibilities in connection with such ~~division~~ department
218 so as to effectively attain the objectives and purposes for which this
219 ~~division~~ department is created. The primary objective of a co-director
220 model, one appointed by the county executive and one by the county
221 board chairperson, is to speak with one voice on behalf of the county to
222 other units of government. The co-directors shall be authorized to
223 represent the county before legislative bodies of both the federal
224 government and the state, as well as other political subdivisions of this
225 state. The co-directors may confer with officials and representatives of the
226 federal government, and with officials and representatives of other political
227 subdivisions of this state and other states, for the purpose of securing
228 assistance and cooperation in effectuating the purposes and objectives for

229 which the ~~division~~ department is created. The co-directors may carry on
230 educational programs, communicate in writing and make personal
231 appearances, and perform such other duties and responsibilities as in the
232 judgment of the co-directors shall be most beneficial to the
233 accomplishment of the purposes and objectives herein provided.

234 (2)

235 *Additional personnel.* ~~An administrative secretary (assistant director~~
236 ~~intergovernmental relations) shall be appointed by the director. The~~
237 ~~assistant director shall be subordinate to the director. The county board~~
238 ~~shall provide such additional personnel, as may be required in the~~
239 ~~administration of this chapter, which shall include two (2) administrative~~
240 ~~secretaries III (intergovernmental coordinator). Intergovernmental~~
241 ~~coordinators~~ Additional staff shall may be appointed by the agreement of
242 the co-directors for four-year terms commencing on the dates of the
243 confirmation of their respective appointments by the county board, with the
244 current terms ending on November 1, ~~2004~~ 2016, provided, however, that
245 each shall serve at the pleasure of the co-directors during their terms and
246 may be removed by the co-directors with or without cause at any time.
247 ~~The assistant director and the two (2) intergovernmental coordinators may~~
248 ~~be appointed by the director in any pay step within their respective pay~~
249 ~~ranges.~~

250 (3)

251 *Terms of co-directors and assistant director.* The co-directors and
252 ~~assistant director~~ shall serve four-year terms commencing on the dates of
253 confirmation of their respective appointments by the county board and
254 ending on November 1 of the general election year, with the current terms
255 ending November 1, ~~2004~~ 2016, provided, however, that the co-directors
256 ~~assistant director~~ serves at the pleasure of their appointing authority,
257 either the county executive or county board chairperson, ~~director~~ during
258 any term and may be removed from office at any time by the county ~~board~~
259 ~~chairman~~ executive with concurrence by the majority of the members of
260 the county board, or by the county board with concurrence by the county
261 ~~board chairman~~ executive or by two-thirds vote of the members of the
262 county board if the county executive vetoes the county board's action.
263 They shall not continue in office beyond the end of their respective terms
264 unless reappointed by the county ~~board chairman~~ executive or county
265 board chairperson ~~director~~, respectively, and confirmed by the county
266 board.

267 (4)
268 *Duties.* The co-directors, and additional personnel assigned to that office, shall
269 primarily concentrate their efforts on programs to obtain greater share of federal
270 and state funds for the county. They shall, from time to time as they determine
271 most appropriate or as directed by the county executive or county board
272 chairperson ~~board chairman~~ or the county board or its committees, submit
273 reports with reference to the operations of the ~~division~~ department. This ~~division~~
274 department shall support all positions on legislation and other intergovernmental
275 policies that have been adopted by the ~~committee on legislature unless such~~
276 ~~positions are changed by the county board and approved by the county executive~~
277 or, if not approved by the county executive, have become effective by lapse of
278 time or by further action of the county board.
279

280 SECTION 3. Chapter 42 of the General Ordinances of Milwaukee County is hereby
281 amended as follows:
282

283 42.03. - Enforcing department.

284 The community business development partners ~~department~~ division of the
285 office of the comptroller will be the enforcing ~~department~~ division and is
286 hereinafter referred to as "CBDP".

287

288 SECTION 4. Chapter 17.14 of the General Ordinances of Milwaukee County is hereby
289 amended as follows:

290
291 (gg) Beginning with the term of office commencing April 18, 2016, county board
292 members shall continue to be eligible to enroll in the county health plan as
293 in this subsection (7) of this section, or in the county dental benefit plan as
294 in subsection (9) of this section, upon payment of a portion of the monthly
295 premiums, co-payments, co-insurance, deductibles, and out-of-pocket
296 maximums that is no less than the portion paid by state legislators in any
297 state health plan, as determined by the Office of the Comptroller.
298

299
300 SECTION 5. Chapter 17.99 of the General Ordinances of Milwaukee County is hereby
301 amended as follows:

302 **17.99. - Automatic adjustments in certain officials' salaries.**

303 (1) The salaries for county board members and the county executive may be
304 adjusted every four (4) years. The adjustment required for the respective offices

305 under this subsection shall be incorporated in the county executive's 2004
306 recommended budget submitted to the county board in 2003 and every four (4)
307 years thereafter. Said adjustment shall be made in the manner hereinafter
308 described. Said increase or decrease, if approved by the county board by the
309 adoption of a resolution and/or ordinance, shall take effect with the
310 commencement of the terms for the respective offices in 2004 and every four (4)
311 years thereafter. Beginning with the term commencing April 18, 2016, any
312 increases in the salary of all county board members shall require a two-thirds
313 vote of the board and shall be limited to the rate of inflation, as determined by the
314 U.S. Department of Labor, Consumer Price Index-Urban Milwaukee-Racine area,
315 with the understanding that salaries, besides the county board chairperson, shall
316 not exceed the salary of state legislators.

317 (2) The salaries for county board members, county board chairperson and the
318 county executive following the election on April 6, 2004, shall be adjusted
319 commencing at the start of their respective terms in 2004, as provided in this
320 subsection. The salaries for county board members and the county board
321 chairperson shall be further adjusted with the term commencing April 18, 2016,
322 as outlined in this subsection.

323 (a) County executive in 2004 is four thousand nine hundred sixty five dollars
324 and ninety-four cents (\$4,965.94) biweekly.

325 (b) County board chairperson in 2004 is two thousand seven hundred forty-six
326 dollars and sixty-two cents (\$2,746.62) biweekly. County board
327 chairperson in the term commencing April 18, 2016, is two thousand one
328 hundred ninety seven dollars and thirty one cents (\$2,197.31) biweekly.

329 (c) County board member in 2004 is one thousand nine hundred forty-nine
330 dollars and twenty cents (\$1,949.20) biweekly. County board member in
331 the term commencing April 18, 2016, is one thousand five hundred fifty
332 nine dollars and thirty five cents (\$1,559.35) biweekly.

333 SECTION 6. Chapter 56 of the General Ordinances of Milwaukee County is hereby
334 amended as follows:

335 (4)

336 Professional services procedures. It shall be the responsibility of the
337 administrator to conform with the following provisions when entering into a
338 professional services contract and expending budgeted funds:

339 (a)

340 Professional services—Capital improvements. The following conditions
341 shall apply to all capital projects.

342 (1)

343 During its annual budget process, departments shall provide a list to the
344 county board of which capital projects contained in the recommended budget are
345 intended to require the assistance of a professional services consultant.
346 Departments are authorized to enter into contractual services or professional
347 services agreements as may be required for specific capital improvement
348 projects which have been approved by the county board through the budget
349 process. Expenditures shall only be for those projects and professional services
350 specifically identified in the budget write-up reviewed by the committee on
351 finance, personnel and audit during the budget review process and approved by
352 the county board, or for those projects approved by action of the county board.
353 The budget write-up shall contain specific information as to the scope of the
354 project, professional services required and estimated cost of the professional
355 services work to be performed. The appropriate department of transportation or
356 the department of administrative services shall provide in February of each year
357 to the committee on finance, personnel and audit and the committee on
358 transportation, public works and transit an updated report on public works capital
359 projects requiring the use of a professional services contract. Any professional
360 services work costing more than ~~twenty~~ one-hundred thousand dollars
361 (~~\$20,000.00~~ 100,000.00) which is not identified in the February report shall
362 require county board approval.

363 (2)

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

367 (b)

368 Professional services—Non-Capital.

369 (1)

370 For professional services resulting in an expenditure of two thousand
371 dollars (\$2,000.00) or less, a departmental purchase order or purchase card may

372 be used for the purchase of professional services. County board approval is not
373 required provided monies are available in the appropriate budget account.

374 (2)

375 For a professional services contract with a value greater than two
376 thousand dollars (\$2,000.00) and less than fifty one-hundred thousand dollars
377 (~~\$50,000.00-100,000.00~~), county board approval is not required provided monies
378 are available in the appropriate budget account for the expenditures required by
379 the contract.

380 (3)

381 County board approval.

382 (a)

383 If a professional services contract with a value greater than two thousand
384 dollars (\$2,000.00) and less than fifty one-hundred thousand dollars (~~\$50,000.00~~
385 100,000.00), entered into by a department administrator is to be extended or
386 amended to provide additional reimbursement which extends the total
387 reimbursement beyond fifty one-hundred thousand dollars (~~\$50,000.00~~
388 100,000.00) to the same vendor, county board approval shall be required for
389 each extension.

390 (b)

391 For a professional services contract with a value of fifty one hundred
392 thousand dollars (~~\$5100,000.00~~) or more, approval by the county board is
393 required. Such approval may take place as part of the county board's adoption of
394 the annual county budget. If approval does not take place as part of the adopted
395 budget, then review by the appropriate county board standing committee and
396 approval by the county board is required. If immediate action is required to
397 preserve property or protect life, health and welfare of persons, county board
398 approval may be waived, provided such action shall be reported, in writing, within
399 forty-eight (48) hours after initial emergency action, to the county board, the
400 county executive and department of administration.

401 (c) If the committee on finance, personnel and audit has not taken an
402 action on a professional services contract within forty-five (45) days after it was
403 referred to them by the chairperson, then the contract shall be deemed approved

404 by the county board and the comptroller is authorized to act on the contract
405 without further county board approval provided the requestor of the contract
406 wishes to do so.

407 (4)

408 County board approval is not required for reimbursement for medical
409 services as defined under subsection 56.30(1)(f) when those services are
410 provided to county employees as a workers compensation claim provided that
411 sufficient funds are available at the time the invoice for service is submitted in the
412 appropriate expenditure amount.

413 (a)

414 The risk management division is allowed to issue payments to hospitals whenever
415 services have been rendered to county employees as part of a workers
416 compensation claim.

417 SECTION 7. Chapter 79 of the General Ordinances of Milwaukee County is hereby
418 amended as follows:

419

420 **79.01. - Created; director.**

421 There is hereby created a "department of labor relations" for the county,
422 the departmental policies of which shall be subject to the provisions of chapter 80
423 of these ordinances. The department shall be in the charge of an administrator
424 designated as "director of labor relations" who shall be appointed by the county
425 executive and whose appointment shall require confirmation by the county board.
426 The director of labor relations may be dismissed at any time by the county
427 executive with concurrence by the majority of the members of the county board,
428 or by the county board with concurrence by the county executive. In the event the
429 county executive vetoes an action by the county board dismissing the director,
430 said veto can be overridden by a vote of two-thirds of the members-elect of the
431 county board. The director shall be provided with an adequate number of staff
432 assistants and such other personnel, as in the opinion of the county board, are
433 required to carry out the functions and purposes of the department. Such staff
434 positions shall be appointed under the county's civil service system by the
435 director of labor relations. The position of director and all other positions in the
436 department shall be compensated at a rate fixed by the county board.

437 **79.02. - Responsibilities of the director.**

438 The director of labor relations shall be responsible for:

439 (1)

440 The negotiation of all collective bargaining agreements with
441 certified bargaining representatives of the employes of the county
442 conducted along policy lines established by the committee on
443 finance, personnel and audit pursuant to chapter 80. The director of
444 labor relations shall not agree, on behalf of the county, to any terms
445 or provisions of a negotiated contract without prior direction and
446 approval from the ~~committee~~ county executive. Prior to drafting any
447 tentative contract, the director of labor relations shall provide the
448 director of human resources and the director of employe benefits
449 with a copy of the terms of the proposed agreement for review
450 relative to administration of said proposal and shall provide the
451 director of administrative services, fiscal and budget administrator
452 and comptroller with a copy of the terms of the proposed
453 agreement for the comptroller's preparation of a fiscal note relative
454 to the proposed agreement. Such fiscal note shall include, at
455 minimum, all assumptions used in developing the fiscal note
456 including actuarial assumptions where appropriate, calculations,
457 estimates, one-time costs and savings, ongoing costs and savings,
458 annual incremental costs as well as cumulative costs and shall
459 otherwise be prepared in accordance with established fiscal note
460 policies and procedures. Subsequent to preparation of the fiscal
461 note - and prior to the drafting of the tentative contract - a copy of
462 the fiscal note shall be provided to the county board staff for review.

463 (2)

464 The administration of all collective agreements during their term. In
465 order to discharge this responsibility, the county executive, when
466 necessary, shall direct compliance by operating department heads
467 with the provisions of such agreements.

468 (3)

469 The establishment of labor relations training programs designed to
470 improve the supervisory skills of supervisory employes in county
471 service.

472 (4)

473 The conduct, on behalf of the county, of all proceedings ordered by
474 the state employment relations commission, the U.S. Department of
475 Labor, the state department of industry, labor and human relations
476 or, as provided for by contract, relative to certification and
477 decertification of bargaining representatives, bargaining unit
478 structure, employe disputes and grievances, and all administrative
479 and judicial proceedings including mediation, factfinding, and
480 arbitration relating to the negotiation or administration of existing or
481 prospective collective agreements.

482 (5)

483 The negotiation as necessary of collateral agreements to existing
484 negotiated contracts consistent with the terms set forth in
485 respective collective bargaining agreements. Any proposed
486 collateral agreement is subject to the review and approval
487 processes as set forth in section 80.04

488

489 **79.03. - Referral of labor relations matters.**

490 All matters relating to labor relations introduced in the county board shall
491 be referred to the department of labor relations for its recommendation, as well
492 as to other departments to which reference is required by other provisions of the
493 Code. The recommendation of the department of labor relations on such matters
494 shall be submitted to the ~~committee on finance, personnel and audit~~ county
495 executive ~~which~~ who shall submit his/her ~~its~~ ~~action~~ ~~thereon~~ response to the
496 committee on finance, personnel and audit ~~county board as the report of the~~
497 ~~committee.~~

498 **79.04. - Submission procedures.**

499 In order to maintain the integrity of the collective bargaining process,
500 requests for information from or action by the department of labor relations, from
501 any individual supervisor or any committee of the county board, shall be
502 submitted to the county executive ~~committee on finance, personnel and audit~~ for
503 reference to the department. Departmental liaison with the county board shall be
504 maintained by the committee.

505 **79.05. - Departmental cooperation.**

506 In order to accomplish the purposes of this chapter, all departments in
507 county government shall cooperate fully with the department of labor relations
508 and its director in all areas of responsibility set forth herein. The county executive
509 or his/her designee shall be permitted to attend all closed sessions of the
510 committee on finance, personnel and audit of the county board when the subject
511 of such closed session is the negotiation and/or the administration of proposed or
512 existing collective bargaining agreements.

513 SECTION 8. Chapter 80 of the General Ordinances of Milwaukee County is hereby
514 amended as follows:
515

516 **80.01. - Function of the committee on finance, personnel and audit.**

517 ~~In addition to the duties prescribed in section 1.11(c)(1), The committee on~~
518 ~~finance, personnel and audit~~ county executive shall have charge of all matters
519 arising under ch. 111, Wis. Stats. The committee on finance, personnel and audit
520 shall be responsible for policy oversight and determining the parameters for the
521 county's labor negotiations that are directed by the county executive. The
522 committee shall receive regular, comprehensive updates on the labor relations
523 strategy and collective bargaining positions held by the county executive. The
524 committee shall be provided an opportunity to comment on the labor strategy as
525 the county board is required to approve any collective bargaining agreement.

526 **80.02. - Election, certification and decertification.**

527 ~~The committee on finance, personnel and audit~~ county executive shall
528 direct the conduct on behalf of the county of all proceedings ordered by the state
529 employment relations commission relative to the election, certification and
530 decertification of collective bargaining units, including proceedings for the
531 determination of the number of employees, type of bargaining unit and eligibility of
532 employees in the classified service, to participate in such elections.

533 **80.03. - Collective bargaining.**

534 Collective bargaining with certified bargaining units shall be carried on by
535 the county executive ~~committee on finance, personnel and audit~~ which who shall
536 recommend ~~adopt, and thereafter may amend,~~ rules and procedures governing
537 the conduct of such bargaining not in conflict with section 1.13(c) of the Code to
538 the county board for approval. Department heads and supervisory personnel
539 shall not distribute to employees under their supervision any written
540 communication bearing upon the subject matter or program of such collective

541 bargaining or other employment relations matters, unless such communication
542 shall have the prior approval of the corporation counsel.

543 **80.04. - Agreements.**

544 (1)

545 The agreements reached at the conclusion of such collective bargaining,
546 shall be reduced to writing in the form of a proposed ordinance or
547 resolution by the county executive committee on finance, personnel and
548 audit which who shall consider the fiscal impacts of the proposed
549 ordinance or resolution and forward it ~~with a positive or negative~~
550 ~~recommendation~~ to the county board for its approval or rejection. Prior to
551 its consideration, the committee on finance, personnel and audit shall be
552 provided with any and all relevant information prepared by pension board
553 actuaries, human resources, labor relations, comptroller and department
554 of administration staff and other relevant individuals regarding the
555 immediate and long-term fiscal impacts associated with each agreement.

556 (2)

557 A collateral agreement to an existing memorandum of agreement may be
558 executed under the signature of the director of labor relations if:

559 (a)

560 The collateral agreement is necessary to address an emergency
561 situation that poses an imminent threat to the health and/or welfare
562 of an employee or the public; or

563 (b)

564 The execution of the collateral agreement will prevent or resolve an
565 employee grievance, provided the agreement has a fiscal impact
566 within existing budget allocations as determined by the Department
567 of Administrative Services - Fiscal Affairs Division; or

568 (c)

569 The director is so instructed in writing by the county executive
570 committee on finance, personnel and audit.

571 All collateral agreements executed under this subsection shall be reported to the
572 committee on finance, personnel and audit on a quarterly basis.

573 (3)

574 Any proposed collateral agreement that meets any of the following
575 conditions must be submitted for approval in the form of a resolution or
576 ordinance to the county board ~~committee on finance, personnel and audit~~:

- 577 (a)
578 The proposed collateral agreement pertains to employees in two (2)
579 or more county departments; or
580 (b)
581 The proposed collateral agreement would result in an expenditure
582 beyond existing departmental allocations.
583 (4)
584 All proposed collateral agreements must be reviewed for fiscal effect by
585 Department of Administrative Services - Division of Fiscal Affairs and the
586 comptroller prior to execution or submission under subsections (2) and (3)
587 above.
588 (5)
589 All collateral agreements must expire with the expiration of the respective
590 collective bargaining agreement.
591
592 SECTION 9. This ordinance shall become effective upon passage and
593 publication.