

1 By Supervisors Clancy, Vincent, Martinez, Rolland, Burgelis, and Johnson, Jr.

2 File No. 23-293

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6 **AN ENGROSSED RESOLUTION/ORDINANCE**

7  
8 amending Chapter 1 of the Milwaukee County Code of General Ordinances to allow  
9 remote access to County Board meetings and promote participation in the legislative  
10 process

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13 WHEREAS, the onset of the COVID-19 Pandemic spurred innovation in how  
14 people work and the rapid adoption of video conferencing technology, with the County  
15 Board beginning to conduct the people’s business remotely on March 18, 2020; and

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17 WHEREAS, the County Board updated the Milwaukee County Code of General  
18 Ordinances (MCGO) by permitting the use of teleconference technology when it created  
19 MCGO Section 1.01(d) – *Remote Meetings* in File No. 20-570; and

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21 WHEREAS, since the onset of the pandemic, the County Board has successfully  
22 conducted its legislative oversight functions in hybrid (some attending in person and  
23 others via Microsoft Teams) or fully virtual formats; and

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25 WHEREAS, the ability to choose whether to attend in person or remotely allows  
26 members to self-isolate if they test positive or have symptoms of coronavirus (COVID-  
27 19) or other potentially contagious infection and still be able to participate in the  
28 proceedings; and

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30 WHEREAS, members of the public have also benefitted from being able to  
31 attend a legislative committee hearing remotely so as to minimize the time away from  
32 work, childcare responsibilities, and avoiding the cost of travel to the Milwaukee County  
33 Courthouse; and

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35 WHEREAS, File No. 22-436, adopted March 24, 2022, appropriated funds to  
36 equip County Board meeting rooms with technology to permit virtual access to  
37 legislative meetings which was implemented in the fall of 2022; and

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39 WHEREAS, legislators should not be denied the ability to represent their  
40 constituents because they are unable to travel to the Courthouse due to health,

41 weather, or other logistical impediment when the technology exists to allow virtual  
42 participation and representation; and

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44 WHEREAS, allowing virtual participation for legislators and public in legislative  
45 hearings eliminates an access barrier to the democratic process while promoting equity  
46 and participation; and

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48 **WHEREAS, as part of the procedures related to the scheduling of a hybrid**  
49 **committee meeting, appointed chairpersons agreed to the Standing Committee**  
50 **Chair Appointment Agreement which states in part:**

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52 **Attend in-person at the Courthouse when I decide to hold hybrid meetings**  
53 **of my committee with the understanding that chairs of standing committees are**  
54 **empowered to conduct their respective committees in either a virtual or hybrid**  
55 **environment.**

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57 **; and**

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59 **WHEREAS, if the Committee Chairperson or, in exigent circumstances, the**  
60 **Vice-Chairperson, cannot physically attend a hybrid meeting, the option exists to**  
61 **reschedule the meeting to another date in consultation with the Legislative**  
62 **Services Division in the Office of the County Clerk; and**

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64 WHEREAS, the Committee on Judiciary, Law Enforcement, and General  
65 Services, at its meeting of March 6, 2023, recommended adoption of File No. 23-293  
66 (vote 3-1); now, therefore,

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68 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby supports  
69 the option to attend County Board meetings virtually and amends Chapter 1 of the  
70 Milwaukee County Code of General Ordinances by adopting the following:

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### AN ORDINANCE

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

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76 **SECTION 1.** Section 1.01 of the Milwaukee County Code of General Ordinances is  
77 hereby amended as follows:

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79 1.01. – Meetings.

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81 (a) *Annual meeting.* The statutory or annual meeting of the county board shall be  
82 convened on the first or second Thursday in November, consistent with Wis.  
83 Stat. § 59.11(1)(a), for the purpose of considering reports of the committee on

84 finance on new positions for the next fiscal year as well as recommendations for  
85 amendments to the executive's budget.

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87 (b) *[Regular meetings.]* Regular meetings of the county board shall convene at 9:30  
88 a.m. unless otherwise designated. In order to provide an advanced schedule of  
89 regular meeting dates, a regular meeting of the county board shall be scheduled  
90 generally on a Thursday within each month, except when otherwise designated  
91 by the county board meeting schedule, these rules or by action of the county  
92 board. August and November will not have a regularly scheduled meeting of the  
93 county board, unless otherwise called for by the county board. The county board  
94 chairperson shall provide to the county board, following the first meeting of the  
95 board after the election of supervisors, a schedule of county board meetings for  
96 the remainder of the term, including the date of the annual meeting provided in §  
97 1.01(a). The first (organizational) meeting of the term shall be held on the third  
98 Monday in April of even-numbered years, which is the first day supervisors take  
99 office following their election per § 59.10(2)(b), Wis. Stats. The digest (agenda)  
100 for each county board meeting shall be established by the county board  
101 chairperson or, in his or her absence, by the first vice chairperson or the second  
102 vice chairperson.

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104 (c) *Special meetings.* A special meeting shall be held only when requested by a  
105 majority of the members of the county board, such request to be in writing,  
106 addressed and delivered to the county clerk, who shall note the time of such  
107 delivery to him/her on such request. Such request shall specify the time and  
108 place of such meeting, which shall not be less than forty-eight (48) hours after  
109 the delivery of such notice to the county clerk. The request shall identify the  
110 purpose of such meeting and shall include reference to such other items as may  
111 be required by law, ordinance or board action. Upon receiving such request, the  
112 county clerk shall forthwith give notice of the time and place of such meeting by  
113 mail to each member of the county board. If the request is delivered to the county  
114 clerk less than seventy-two (72) hours before the time of such meeting, the  
115 county clerk, in addition to the mailing hereinbefore referred to, shall telephone  
116 each supervisor; if any supervisor is not contacted by telephone, the county clerk  
117 shall furnish to the sheriff of the county a copy of such notice of time and place of  
118 meeting for delivery to unnoticed members of the county board. The sheriff shall  
119 thereafter furnish to the county clerk an affidavit of delivery of such notice. The  
120 inability of the sheriff to deliver such notice to a supervisor shall not be deemed a  
121 defect to the notice requirement under this subsection. Any special meeting may  
122 be adjourned from time to time by a vote of a majority of all members of the  
123 county board.

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125 (a) *Remote meetings.* The county board **shall be equipped and may convene and**  
126 **meet** to conduct business remotely via telephone conference, video conference or

127 other electronic communication provided that the meeting is live-streamed, televised  
128 live or otherwise broadcast live to the public, ~~subject to the following:~~

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130 ~~(1) Supervisors shall have the option to attend any meeting of the~~  
131 ~~county board remotely via telephone conference, video conference~~  
132 ~~or other electronic communication even if the meeting was not~~  
133 ~~designated to be remote.~~

134 ~~(2) Supervisors shall have the ability to attend any meeting of the~~  
135 ~~county board in person unless circumstances prohibit a physical~~  
136 ~~meeting.~~

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138 **SECTION 2.** Section 1.13(c) of the Milwaukee County Code of General Ordinances is  
139 amended as follows:

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141 (c) *Committee general procedure.* All meetings of a committee shall be conducted in  
142 accordance with the provisions of ss. 19.81—19.98, Wis. Stats. The attendance of  
143 a majority of the members thereof shall be requisite for the transaction of business  
144 of a committee. A committee member who participates in a meeting of the  
145 committee by telephone, video conference, or by other means of  
146 telecommunication or electronic communication is considered present. **subject to**  
147 **the provisions of sections 1.01(d) and 1.13(e).** Without a majority in attendance,  
148 a committee may consider informational items only. Committee agenda are to be  
149 prepared so that members of the county board and other interested parties will  
150 receive the agenda by United States, electronic or interoffice mail at least twenty-  
151 four (24) hours before the scheduled committee meeting. A committee chairperson  
152 must schedule a county board referred item within a maximum of two (2) regular  
153 county board committee cycles. Once scheduled and publicly noticed, an item may  
154 only be withdrawn according to the provisions of section 1.13(d)(8). If the item is  
155 withdrawn by sole action of the committee chair pursuant to section 1.13(d)(8), the  
156 item must be placed on the committee agenda for the next regularly scheduled  
157 meeting and may not be withdrawn again.

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159 The committee coordinator shall enter in appropriate files kept for that purpose, a  
160 complete record of all such committee meetings, including attendance, appearances for  
161 and against pending matters, and minutes of the proceedings, including all motions  
162 made and by whom, how each member voted upon each matter considered, together  
163 with the final action by the committee thereon. All actions taken by the committee shall  
164 be by roll call vote, however a motion to place on file may be taken by voice vote  
165 without objection. No action shall be taken on any proposed ordinance unless it be in  
166 written form before the committee.

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168 Except as herein provided and so far as applicable, the rules of procedure of the  
169 county board shall apply to committee meetings. Minority rules shall not apply to  
170 committee meetings.

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After the conclusion of the committee meeting, the committee coordinator shall prepare a separate, written report of the action of the committee upon those matters considered by it which require county board approval, for submission to the county board for action of that body. Such report shall be made up in such manner that the county board may take action upon it as a whole, or may set aside any portion of it for separate action. Any member of any committee may make a minority report of said committee on any recommendation to the board contained in the committee report. Such minority report must be presented when the matter is considered at the meeting of the county board.

Except as provided in the preceding sentence, it is the duty of the committee to make a report to the county board on matters referred to such committee with some definite recommendation for disposition of such matters.

When members of a committee or joint committee present at any meeting thereof, are, by recorded vote, evenly divided as to the disposition to be made of any subject matter referred to and pending before such committee or joint committee, such subject matter shall be returned to the next meeting of the county board without recommendation and the committee or joint committee shall thereupon be deemed to be discharged from consideration thereof.

**SECTION 3.** Section 1.13(e) of the Milwaukee County Code of General Ordinances is hereby amended as follows:

- (d) *Remote meetings.* Standing committees **shall be equipped and may convene and meet** to conduct business remotely via telephone conference, video conference or other electronic communication provided that the meeting is live-streamed, televised live or otherwise broadcast live to the public-, **subject to the following:**
- (1) **If a committee chairperson chooses to schedule a committee meeting as a hybrid meeting, the chairperson shall attend in-person at the courthouse or at the physical location of the designated meeting. In exigent circumstances, the vice-chairperson of the committee may fulfill this requirement if the chairperson is not able to attend in person.**
- ~~(1) Supervisors shall have the option to attend any standing committee meeting of the county board remotely via telephone conference, video conference or other electronic communication even if the meeting was not designated to be remote.~~
- ~~(2) Supervisors shall have the ability to attend standing committee meetings of the county board in person unless circumstances prohibit a physical meeting.~~

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~~(3)~~ **(2) Members of the public wishing to testify shall have the option to attend any standing committee meeting remotely, other than Committee of the Whole, via the electronic communication protocol designated for the meeting.**

**SECTION 4.** The provisions of this Ordinance shall become effective upon passage and publication.

03/23/2023  
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