

PROOF OF PUBLICATION

STATE OF WISCONSIN }  
MILWAUKEE COUNTY } S.S.

Ann Richmond, being the first duly sworn on oath, says that she is the Publisher 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

Jun. 8, 2012

*Ann E. Richmond*  
Ann Richmond, Publisher

Sworn to me this 8th day of June 2012

*David Ziemer*  
David Ziemer  
Notary Public, Milwaukee County, Wisconsin  
My Commission Is Permanent



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# Notice

to the co-chairperson, 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, and 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 a committee coming to order, an item can be removed by the chairperson or co-chairpersons.

(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.**  
 (a) *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 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 rule shall not apply to the report of the committee on finance, personnel 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.

1.15. **Referring resolution, ordinance or report for legal opinion.**  
 With the affirmative vote of one-third 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, personnel 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, personnel and audit on new positions to become effective in, and to be included in, the budget for the following fiscal year.

1.16. **Requests relating to personnel matters.**  
 (a) *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. Personnel requests relating to the creation of new positions to become effective and to be included in the budget of the following fiscal year shall be submitted to the county executive by such date as determined by the county executive. All requests for current year new positions shall be referred to the committee on finance, personnel and audit, and the department of human resources and the department of administrative services. The department of administrative services shall submit a recommendation regarding the current budget year as soon as reasonably possible. The department of administrative services shall submit recommendations regarding the necessity for the requested positions to the committee on finance, personnel and audit, 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, personnel 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 finance, personnel and audit regarding the classification and pay for new positions for the next fiscal year recommended by the county executive and/or committee on finance, personnel 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, personnel 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.

1.17. **Procedures for consideration of personnel requests.**  
 (a) *Definitions.* Where used in this subsection, the following words shall mean:

- (1) County board shall mean the county board of supervisors.
- (2) Commission shall mean the county civil service commission.
- (3) Committee shall mean the committee on finance, personnel and audit.

(4) Petitioner shall mean the person or organization, including a member of the county board, making or sponsoring the request, resolution or ordinance, or the authorized representative of such person or organization.

(5) Code shall mean the Milwaukee County Code of General Ordinances.  
 (c) *Hearing on personnel request.* At such hearing, the procedure in considering such personnel request shall be as follows:

- (1) The petitioner, or his/her representative, shall be given a reasonable time to present his/her case and any supporting data to the committee, and during such period shall not be subject to interruption by any person other than members of the committee.

(2) When the petitioner has concluded his/her argument, the commissioner shall present its report and recommendation to the committee.

(3) After the commission has concluded its presentation, the petitioner shall have a reasonable opportunity to comment upon the commission's recommendations and, while so doing, shall not be subject to interruption by any person other than members of the committee or representatives of the commission.  
 (4) After the procedures specified in said subsections (1), (2) and (3) have been concluded, the committee shall hear any person desiring to speak on the request.

(4a) Where circumstances require, the co-chairperson(s) of the committee shall have the right to vary the order of the procedure outlined in subsections (c)(1), (2), (3) and (4).

(5) Thereafter the committee, in public session, shall consider and make such recommendations as it sees fit pertaining to said request. If the committee's recommendation is to deny the request, the recommendation shall be in the form of a resolution so indicating. If the committee's recommendation grants such request in whole or in part, such recommendation shall be evidenced by a resolution or ordinance, as the case requires. The effective date of such resolution or ordinance shall be stated therein.

(6) In the event that the committee requires more time than originally scheduled to determine its position with respect to such request, it may recess such hearing from time to time as may be determined by it, and on said recessed day reconvene and resume its consideration.

(7) The committee shall submit a report and recommendation on each such request to the county board, at the next meeting of the county board, following determination of the committee's recommendation.  
 (8) Compliance with the procedure outlined in subsections (1) to (7) inclusive, of this compliance, is intended to be in compliance with the requirements of s. 111.70(2), Wis. Stats.

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 rec-

ommendation thereon to the committee on finance, personnel 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, personnel and audit may act upon such request without his/her recommendation.

1.24. **Budgetary procedure.**  
 (3) *Committee on finance, personnel and audit hearings.*

(a) The committee on finance, personnel 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 financial, personnel 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.**

Chapter 15 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is 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 non-competitive basis. The county treasurer shall submit on a quarterly basis, for review by the county board finance, personnel and audit committees, 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, personnel 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 704 card transaction, the license shall be subject to cancellation for the 705 nonpayment of the check or failure of the bank to honor the demand for 706 payment authorized by debit or credit card.

Chapter 17 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is 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:

(b) The director of the department of administration shall review each request with respect to need and appropriateness and file a report with the committee on finance, personnel and audit. The committee on finance, personnel 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 deter-

mine the appropriate classification and pay and file a report with the committee on finance, personnel and audit. The committee on finance, personnel and audit shall report its recommendation with respect to classification and pay to the county board.

(3) In the event the requestor and the director of human resources cannot agree on the appropriate classification for an existing position either party may appeal to the committee on finance, personnel and audit within thirty (30) days of receiving notice of the director final recommendation. Both parties shall submit a written summary of the rationale for their opinion to the committee on finance, personnel and audit as well as any other information deemed appropriate. The decision of the county board on the committee recommendation subject to review by the county executive shall be final and if a change in classification is approved it shall be implemented the first day of the pay period following that in which a resolution adopted by the county board has been approved by the county executive and in compliance with collective bargaining agreements.

(c) All reclassification studies shall also be subject to the following:

(4) An employee who holds a position which is reclassified to a higher pay range shall receive an increase to the next rate in the new pay range which is higher than the rate of pay received in the old pay range or as otherwise approved by the committee on finance, personnel and audit subject to county board and county executive action.

(5) A vacant position reclassified to a classification in a lower pay range shall be implemented the first day of the first pay period following the meeting of the committee on finance, personnel and audit in the event no action was taken on the specific recommendation contained in the informational report submitted to committee by the director of human resources. When a filled position is reclassified to a classification in a lower pay range, the incumbent shall be placed on the layoff/recall list for an indefinite time period, without bumping rights, for the higher classification of a comparable classification if the classification is unique and the reclassification shall not be implemented until the position becomes vacant or the incumbent is relocated. In the event the incumbent refuses an offer to be relocated, the position shall be reclassified to the classification in the lower pay range the first day of the first pay period following his/her refusal to be reclassified.

(7) Monthly while a reclassification is pending, the director of human resources shall provide a report to the committee on finance, personnel and audit which lists all position reclassifications which the director intends to approve, along with a fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes. If a county supervisor objects to the decision of the director within seven (7) working days of receiving this report, the reclassification shall be held in abeyance until resolved by the county board, upon recommendation of the committee and subsequent county executive action. If no county supervisor objects, the reclassification shall be implemented the first day of the first pay period following the meeting of the committee on finance, personnel and audit which lists all position reclassifications which the director intends to approve, along with a fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes.

(3) The director of human resources shall provide a monthly report to the personnel and audit committee on finance, personnel and audit which lists all new appointments at an advanced step of the pay range, along with a fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes. If a county supervisor objects to the decision of the director within seven (7) working days of receiving this report, the reclassification shall be held in abeyance until resolved by the county board, upon recommendation of the committee and subsequent county executive action. If no county supervisor objects, the reclassification shall be implemented the first day of the first pay period following the meeting of the committee on finance, personnel and audit which lists all position reclassifications which the director intends to approve, along with a fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes.

(2) The director of human resources may approve the request of any department head to advance a promoted employee or incumbent of a reclassified position one (1) additional step in the range if the employee would have advanced in the classification from which they were promoted to the same rate of pay within ninety (90) days of the promotion. The decision of the director may be appealed to the committee on finance, personnel and audit within thirty (30) days of notice. The decision of the county board on the committee's recommendation, subject to review by the county executive, shall be final and shall be implemented the first day of the first pay period following review by the county executive, or in the event of a veto, final county board action.

(4) Monthly while any advancements within a pay range requested by the county executive, shall be implemented the first day of the pay period following review by the county executive, or in the event of a veto, final county board action.

(3) Department heads:  
 (c) In subsections (a) and (b) above the decision of the director of human resources may be appealed to the committee on finance, personnel and audit within thirty (30) days of notice. The decision of the county board on the committee's recommendation, subject to review by the county executive, shall be final and shall be implemented the first day of the first pay period following review by the county executive, or in the event of a veto, final county board action.

(4) Monthly while any advancements within a pay range requested by the county executive, shall be implemented the first day of the pay period following review by the county executive, or in the event of a veto, final county board action.

(2) The director of human resources may approve the request of any department head to advance a promoted employee or incumbent of a reclassified position one (1) additional step in the range if the employee would have advanced in the classification from which they were promoted to the same rate of pay within ninety (90) days of the promotion. The decision of the director may be appealed to the committee on finance, personnel and audit within thirty (30) days of notice. The decision of the county board on the committee's recommendation, subject to review by the county executive, shall be final and shall be implemented the first day of the first pay period following review by the county executive, or in the event of a veto, final county board action.

(4) Monthly while any advancements within a pay range requested by the county executive, shall be implemented the first day of the pay period following review by the county executive, or in the event of a veto, final county board action.

period following that in which the resolution adopted by the county board is approved by the county executive.

(4) Monthly while a reallocation is pending, the director of human resources shall provide a report to the committee on finance, personnel and audit which lists all classification reallocations which the director intends to approve, along with the fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes. If a county supervisor objects to the decision of the director within seven (7) working days of receiving this report, the reallocation shall be held in abeyance until resolved by the county board, upon recommendation of the committee, and subsequent county executive action. If no county supervisor objects, the reallocation shall be implemented the first day of the first pay period following the meeting of the committee on finance, personnel and audit which lists all classification reallocations which the director intends to approve, along with a fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes.

(2) Temporary appointments, temporary positions and appointments not within authorized quota of permanent positions.

(b) Request for authority to extend the time of temporary positions beyond six (6) months shall be submitted to the county board and referred to the committee on finance, personnel and audit committee on finance, personnel and audit. The department of administration shall submit a recommendation regarding the necessity for the extension of such temporary positions to the committee on finance, personnel and audit as soon as possible.

17.085. - Temporary assignment to a higher classification.

Nonrepresented employees may be assigned to perform the duties of a position in a higher classification and shall be paid as though promoted to the higher classification under the following conditions:

(5) The provisions of this section in subsections (1) and (2) above may be waived, for good reason, only upon approval of the county board. The decision of the county board on the committee on finance, personnel and audit recommendation, subject to review by the county executive, shall be final and shall be effective the pay period after the resolution adopted by the county board is approved by the county executive.

17.09. - Salary rate on new appointments.

Appointments to newly created or vacant positions in pay ranges shall be made at the first step of the range except as follows, unless otherwise specified in a collective bargaining agreement:

(3) The director of human resources shall provide a monthly report to the personnel and audit committee on finance, personnel and audit which lists all new appointments at an advanced step of the pay range, along with a fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes.

17.10. - Advancement within a pay range.  
 The incumbent of a position shall be advanced to the next highest rate of pay in the pay range provided for the classification only upon meritorious completion of two thousand eighty (2,080) straight time hours paid. Deviation from this requirement is permissible under the following conditions:

(2) The director of human resources may approve the request of any department head to advance a promoted employee or incumbent of a reclassified position one (1) additional step in the range if the employee would have advanced in the classification from which they were promoted to the same rate of pay within ninety (90) days of the promotion. The decision of the director may be appealed to the committee on finance, personnel and audit within thirty (30) days of notice. The decision of the county board on the committee's recommendation, subject to review by the county executive, shall be final and shall be implemented the first day of the first pay period following review by the county executive, or in the event of a veto, final county board action.

(3) Department heads:  
 (c) In subsections (a) and (b) above the decision of the director of human resources may be appealed to the committee on finance, personnel and audit within thirty (30) days of notice. The decision of the county board on the committee's recommendation, subject to review by the county executive, shall be final and shall be implemented the first day of the first pay period following review by the county executive, or in the event of a veto, final county board action.

(4) Monthly while any advancements within a pay range requested by the county executive, shall be implemented the first day of the pay period following review by the county executive, or in the event of a veto, final county board action.

# First Publications

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departments, pursuant to subsections (3)(a) and (3)(b) are pending, the director of human resources shall provide a report to the committee on finance, personnel and audit which lists all such advancements which the director intends to approve, along with a fiscal note for each. This report shall be distributed to all county supervisors and placed on the committee agenda for informational purposes. If a county supervisor objects to the decision of the director within seven (7) working days of receiving this report the advancement shall be held in abeyance until resolved by the county board, upon recommendation of the committee, and subsequent county executive action. If no county supervisor objects, the advancement shall be implemented the first day of the first pay period following the action by the county executive or, in the event of a veto, final county board action.

**17.14. - Employment definitions.**  
 (1) Payment for full-time employment. The compensation represents the remuneration for full-time employment except in those cases where it is specifically stated that the rates of pay are a proportionate part of the total compensation and are for part-time employment. Only one (1) full-time employee may occupy an authorized full-time position on an active basis. When the need arises, a department head or appointing authority may request approval from the county board to actively employ more than one (1) active full-time employee in a full-time authorized position for a specified period of time. Such requests shall be considered by the committee on finance, personnel and audit after receipt of a report from the director of human resources.

**17.23. - Dual employment.**  
 No person holding employment with the county in the classified or unclassified service under the provision of chapter 17 of the Code, or ch. 63, Wis. Stats., shall be employed in more than one (1) classification or hold more than one (1) position unless approved by the director of human resources. The decision of the director may be appealed to the committee on finance, personnel and audit within thirty (30) days of notice. The decision of the county board on the committee's recommendation, subject to review by the county executive, shall be final and shall be implemented the first day of the first pay period following review by the county executive. A monthly report listing all persons holding dual appointments shall be prepared by the department of human resources and forwarded to the committee, for informational purposes.

**17.25. - Vacancies; how filled.**  
 (1) Whenever any position in the classified service becomes vacant, such position may be filled upon submission of a request for certification and approval by the civil service commission. The department of administration determines the necessity of filling vacant positions. If the commission is of the opinion that it is not necessary to fill the position or that it should be reclassified or reallocated to a different pay range, the commission shall make such recommendation to the county board. The county board shall refer such recommendation to the committee on finance, personnel and audit.

**17.265. - Executive compensation plan.**  
 All employees of the county who hold positions considered to be management shall be compensated in accordance with the provisions of the executive compensation plan. The following definitions and policies, shall be utilized to maintain the executive compensation plan and ensure that all management positions are identified and compensated in a consistent and equitable manner.  
 (1) Management/supervisor definition. To assure that the executive compensation plan includes only positions which are truly managerial, it is necessary to define the term "management position." Oftentimes, supervisory positions are structured in such a way that the duties involved could be misconstrued as being managerial; therefore, it is also necessary to define "supervisory position." It is intended that these definitions will be used by department heads, the department of human resources, and ultimately the finance, personnel and audit committee and county board as the cornerstone to identify positions

which are to be included in, or excluded from, the executive compensation plan.  
 (2) Positions deemed by the director of human resources to meet the management definition of this section shall be assigned to one of the levels of management listed below. The director of human resources shall maintain and distribute a narrative definition of each management level. Each management level shall correspond to an ECP Grade(s) which shall consist, for 1999, of the eight rate steps indicated below in 1999. These rate steps, when deemed appropriate, may periodically be adjusted upon adoption of a resolution by the county board. In 2000, the rates shall be adjusted by three (3) percent as previously approved in county board file no. 97-476, adopted on June 19, 1997. The director of human resources shall periodically conduct a review of the salary increase trends for management positions which shall be forwarded to the Personnel Committee on finance, personnel and audit for the determination of adjustments for the year 2001 and beyond; and shall annually publish and distribute ECP Grade information to all department heads and appointing authorities.

(3) The salary rate steps of each ECP Grade shall be adjusted annually by a general increase to reflect job market trends for management positions upon adoption of a resolution by the county board. Upon implementation of such general increase, the rate received by incumbents of ECP positions shall be adjusted to reflect the general increase. A performance evaluation of each employee holding an ECP position shall be forwarded to the director of human resources no later than March 31 of each calendar year. The performance evaluation shall be for employee performance during the prior calendar year, and shall be conducted in accordance with procedures distributed by the director of human resources. If the performance evaluation completed by their appointing authority meets the criteria for such advancement, incumbents of ECP positions shall be advanced to the next highest rate step in the respective 995 ECP Grade effective on the first day of the pay period which includes April 1. An appointing authority may delay the implementation of the advancement to the next highest rate step by six (6) or twelve (12) pay periods if he/she deems such delay appropriate based on the employee's performance evaluation. New appointees to an ECP position shall not be eligible for advancement to the next highest rate step in the ECP Grade until completion of one year of service and completion of a performance evaluation which indicates that he/she meets the requirements for such advancement as determined by the appointing authority, with such advancement not being effective prior to April 1 in any calendar year. ECP employees receiving the maximum rate step for the respective ECP Grade, shall be eligible for a performance award of up to four (4) percent of their annual salary, based on the evaluation of their performance in the prior calendar year by their appointing authority in accordance with instructions distributed by the director of human resources. A performance award shall be issued to the recipient of the maximum rate step for the respective ECP Grade, shall be included in the calculation of final average salary for pension calculation purposes. A performance award shall be processed as soon as possible after forwarding of an appropriate recommendation to the director of human resources, but no earlier than May 1 in any given calendar year. No employee compensated under this section shall advance to the next rate step or receive a performance award unless an appropriate performance evaluation recommending such advancement has been received by the director of human resources. The director, department of human resources shall annually provide an informational report to the county board finance, personnel and audit committee summarizing the results of the performance evaluation process. Notwithstanding the foregoing provisions, the county board of supervisors may determine, by a vote of the county board prior to March 31 of each year, that no ECP employee shall advance to the next highest rate step or shall be issued a performance award in that calendar year.  
 (6) The director of human resources, or the appropriate appointing authority, may initiate a review of any position to determine if it should be included in, or deleted from, the ECP, or to determine if an existing ECP position

is assigned to the proper management level and ECP Grade. All such reviews shall be conducted by the director of human resources and any revision to the management level or ECP Grade to which a position is assigned shall be reported to the county board finance, personnel and audit committee in the same manner as a reclassification of an existing position as included in the provisions of section 17.05 of the county ordinances. Except as may otherwise be noted in this section, all other provisions of sections 17.05 and 17.10 of the county ordinances shall apply to any position included in the ECP.

**17.305 Residency for positions in the unclassified service.**

(1) All employees appointed to any position in the unclassified service on or after October 1, 2010, shall establish and maintain their domicile and principal place of residence within the geographic limits of Milwaukee County. New appointments in the unclassified service on or after October 1, 2010, shall have six months from the date of appointment to comply with this section. The Director, Department of Human Resources, may grant one extension of the foregoing requirement for up to six additional months, but in no case shall a waiver of the residency requirement under paragraph (1) above extend beyond one-year from the date of appointment. Failure to meet the applicable deadline shall result in termination. The Director of Human Resources shall provide written notice to the County Executive, the County Board Chair and the Chairpersons of the Committee on Finance, Personnel and Audit of all extensions granted under this section.

(2) If the Director of Human Resources determines an unclassified position is essential to effective functioning of county operations and which, on the basis of classification, vacancy, experience and difficulty in recruitment, cannot be filled with qualified personnel under the requirements of paragraph (1) of this section, the Director may waive the residency requirement for that position. All waivers granted under this section are to be reported quarterly to the Committee on Finance, Personnel and Audit, and shall be reviewed at least annually by the Director to determine if a residency waiver is necessary to fill the position.

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

(3) The salary rate steps of each ECP Grade shall be adjusted annually by a general increase to reflect job market trends for management positions upon adoption of a resolution by the county board. Upon implementation of such general increase, the rate received by incumbents of ECP positions shall be adjusted to reflect the general increase. A performance evaluation of each employee holding an ECP position shall be forwarded to the director of human resources no later than March 31 of each calendar year. The performance evaluation shall be for employee performance during the prior calendar year, and shall be conducted in accordance with procedures distributed by the director of human resources. If the performance evaluation completed by their appointing authority meets the criteria for such advancement, incumbents of ECP positions shall be advanced to the next highest rate step in the respective 995 ECP Grade effective on the first day of the pay period which includes April 1. An appointing authority may delay the implementation of the advancement to the next highest rate step by six (6) or twelve (12) pay periods if he/she deems such delay appropriate based on the employee's performance evaluation. New appointees to an ECP position shall not be eligible for advancement to the next highest rate step in the ECP Grade until completion of one year of service and completion of a performance evaluation which indicates that he/she meets the requirements for such advancement as determined by the appointing authority, with such advancement not being effective prior to April 1 in any calendar year. ECP employees receiving the maximum rate step for the respective ECP Grade, shall be eligible for a performance award of up to four (4) percent of their annual salary, based on the evaluation of their performance in the prior calendar year by their appointing authority in accordance with instructions distributed by the director of human resources. A performance award shall be issued to the recipient of the maximum rate step for the respective ECP Grade, shall be included in the calculation of final average salary for pension calculation purposes. A performance award shall be processed as soon as possible after forwarding of an appropriate recommendation to the director of human resources, but no earlier than May 1 in any given calendar year. No employee compensated under this section shall advance to the next rate step or receive a performance award unless an appropriate performance evaluation recommending such advancement has been received by the director of human resources. The director, department of human resources shall annually provide an informational report to the county board finance, personnel and audit committee summarizing the results of the performance evaluation process. Notwithstanding the foregoing provisions, the county board of supervisors may determine, by a vote of the county board prior to March 31 of each year, that no ECP employee shall advance to the next highest rate step or shall be issued a performance award in that calendar year.  
 (6) The director of human resources, or the appropriate appointing authority, may initiate a review of any position to determine if it should be included in, or deleted from, the ECP, or to determine if an existing ECP position

performance evaluation recommending such advancement has been received by the director of human resources. The director, department of human resources shall annually provide an informational report to the county board finance, personnel and audit committee summarizing the results of the performance evaluation process. Notwithstanding the foregoing provisions, the county board of supervisors may determine, by a vote of the county board prior to March 31 of each year, that no ECP employee shall advance to the next highest rate step or shall be issued a performance award in that calendar year.

**SECTION 4.**

Chapter 32 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:

**32.25. - Purchasing and contracting procedure.**

(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.

**SECTION 5.**

**32.91. - Unreserved fund balance.**  
 (7) 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, personnel 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.

(8) All enterprise funds must submit a quarterly report to the committee on finance, personnel and audit, a tabulation of year-to-day expenses and revenues, and projected year-end expenses and revenues. A corrective plan must also be provided for any net year-end deficits.

**SECTION 6.**

Chapter 33 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:  
**33.03. - Functions of the personnel review board.**  
 The personnel review board shall:  
 (4) Meetings. All meetings of the board shall be announced in advance, shall be open to the public subject to the limitations of s. 19.85, Wis. Stats., and minutes of such meetings, except those portions covering hearings on charges against employees, shall be submitted to the director of human resources, the civil service commission, the county executive, and chairpersons of the committee on finance, personnel and audit within two (2) weeks following the meeting.  
**SECTION 7.**  
 Chapter 46 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is 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 department 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 rea-

sons this limit had to be exceeded. The director of audits shall notify the committee on finance, personnel 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.

**SECTION 8.**

Chapter 56 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is 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, personnel and audit of the county board and the department of administration 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.

(3) The county executive is authorized to request and develop any 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, personnel and audit committee and the county board in time for their next regularly scheduled meetings for approval prior to implementation.

**56.03. - Appropriation transfer procedures.**

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

(3) Any resolution or ordinance directing the department of administration to transfer contingency appropriations shall have committee on finance, personnel 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.

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

(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, personnel and audit may recommend an appropriation sufficient to restore the fund to its original amount.

**56.22. - Assignment 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 administration during the annual budget review process. All departments/employees having use of a passenger car shall annually submit a report to the department of administration 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 administration will recommend any changes or additions to approved vehicle assignments to the committee on finance, personnel and audit. Assignment of all passenger cars shall be subject to the approval of the county board upon the recommendation of the committee.  
 (5) A department administrator may authorize an employee to use a departmental assigned vehicle on a temporary basis beyond normal work



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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, personnel and audit committee co-chairpersons and the department of administration 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 employee uses a county vehicle as authorized for personal use, the county shall be reimbursed by the employee at the rate established by the Internal Revenue Service for tax deduction purposes, which rate shall automatically be adjusted to reflect 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 conformity with procedures approved by the county board's committee on finance, personnel and audit. "Personal use" shall be all mileage not eligible for reimbursement under the county's automobile mileage allowance rules, as defined in section 3.05 of this Code of General Ordinances. Personal use of a county vehicle shall be defined as the use of the vehicle between the employee's home and his/her work location. Any other such use is prohibited.

56.26. - Procedure on sale of county securities.

(1) The department of administration shall have the responsibility and authority to develop plans and take all steps necessary for the sale of county securities, under the direction and supervision of, and subject to action by, the committee on financial, personnel and audit and the county board.

(a) The department of administration shall formulate recommendations regarding the timing of the sale of county securities, the type of securities to be sold and the terms upon which the securities shall be offered for sale, and present such recommendations to the committee on financial, personnel and audit for approval.

(e) The department of administration is directed to procure prices for the printing of securities independent and apart from the procurement division, but subject to the approval of the committee on financial, personnel and audit and the county board. The printing of county securities is not subject to the provisions of chapter 52 of the Code.

(2) County securities shall be sold at public sale, unless state law permits otherwise and the committee on financial, personnel and audit and county board so direct. Unless directed otherwise, the procedure to be followed on the day of a public sale shall be as follows:

(a) Bids for the purchase of securities shall be received by the department of administration under the supervision of bond counsel and opened in the presence of the county treasurer, the fiscal and budget administrator and a member of the county board staff designated by the committee on financial, personnel and audit chairperson at 10:00 a.m. on said day, or at such other hour as is set by the committee and the county board.

(c) The bids received shall then be presented to the committee on financial, personnel and audit which shall recommend to the county board the action to be taken on the bids. (d) The recommendation of the committee on financial, personnel and audit shall then be submitted to the county board at its meeting on the sale date.

56.30. - Professional services.

(2) Policy.

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 committee on finance, personnel and audit review and county board approval of all professional services expenditures prior to execution of said contracts.

Professional services—Capital improvements. The following conditions shall apply to all capital projects. (1) During its annual budget process, 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

contract without prior direction and approval from the committee. Prior to drafting any tentative contract, the director of labor relations shall provide the director of human resources and the director of employee benefits with a copy of the terms of the proposed agreement for review relative to administration of said proposal and shall provide the director of administrative services, fiscal and budget administrator and controller with a copy of the terms of the proposed agreement for preparation of a fiscal note relative to the proposed agreement. Such fiscal note shall include, at minimum, all assumptions used in developing the fiscal note including actuarial assumptions where appropriate, calculations, estimates, one-time costs and savings, ongoing costs and savings, annual incremental costs as well as cumulative costs and shall otherwise be prepared in accordance with established fiscal note policies and procedures. Subsequent to preparation of the fiscal note - and prior to the drafting of the tentative contract - a copy of the fiscal note shall be provided to the director of audits and county board staff for review.

79.03. - Referral of labor relations matters.

All matters relating to labor relations introduced in the county board 1461 shall be referred to the department of labor relations for its recommendation, as well as to other departments to which reference is required by other provisions of the Code. The recommendation of the department of labor relations on such matters shall be submitted to the committee on finance, personnel and audit which shall submit its action thereon to the county board as the report of the committee.

79.04. - Submission procedures. In order to maintain the integrity of the collective bargaining process, requests for information from or action by the department of labor relations, from any individual supervisor or any committee of the county board, shall be submitted to the committee on finance, personnel and audit for reference to the department. Departmental liaison with the county board shall be maintained by the committee.

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

SECTION 12. Chapter 80 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:

80.01. - Function of the committee on finance, personnel and audit. In addition to the duties prescribed in section 1.11(c)(1), the committee on finance, personnel and audit shall have charge of all matters arising under ch. 11, Wis. Stats.

80.02. - Election, certification and decertification. The committee on finance, personnel and audit shall direct the conduct on behalf of the county of all proceedings ordered by the state employment relations commission relative to the election, certification and decertification of collective bargaining units, including proceedings for the determination of the number of employees, type of bargaining unit and eligibility of employees in such elections.

80.03. - Collective bargaining. Collective bargaining with certified bargaining units shall be carried on by the committee on finance, personnel and audit which shall adopt, thereafter may amend, rules and procedures governing the conduct of such bargaining not in conflict with section 1.13(c) of the Code. Department heads and supervisory personnel shall not distribute to employees under their supervision any written communication bearing upon the subject matter or program of such collective bargaining or other employment relations matters, unless such communication shall have the prior approval of the corporation counsel.

80.04. - Agreements. (1) The agreements reached at the conclusion of such collective bargaining, shall be reduced to writing in the form of a proposed ordinance or resolution by the committee on finance, personnel and audit and submitted in the form of a proposed ordinance or resolution to the committee on finance and audit which shall consider the fiscal impacts of the proposed ordinance or resolution and forward it with a positive or negative recommendation to the county board for its approval or rejection. Prior to its consideration, the committee on finance, personnel and audit shall be provided with any and all relevant information

prepared by pension board actuaries, human resources, labor relations and department of administration staff and other relevant individuals regarding the immediate and long-term fiscal impacts associated with each agreement.

(2) A collateral agreement to an existing memorandum of agreement may be executed under the signature of the director of labor relations if: (c) The director is so instructed in writing by the committee on finance, personnel and audit.

All collateral agreements executed under this subsection shall be reported to the committee on finance, personnel and audit on a quarterly basis. (3) Any proposed collateral agreement that meets any of the following conditions must be submitted for approval in the form of a resolution or ordinance to the committee on finance, personnel and audit and personnel.

80.07. - Employees excluded from recognized bargaining units. The committee on finance, personnel and audit, civil service commission and the department of labor relations shall review the wages, hours and conditions of employment of all employees not represented by recognized employee organizations annually and submit their recommendations to the county board each year for the following year.

SECTION 13. Chapter 201 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:

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

(b) The established actuarial assumptions supporting said required amount. The county executive shall submit an informational report to the committee on finance, personnel and audit and the committee on finance, personnel and audit 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 1984, an estimate will be made for the amount to be expensed in 1985 but paid in 1986).

(2) Current year contribution. The pension board shall furnish to the committee on finance, personnel and audit and the committee on finance, personnel and audit 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.

SECTION 14. Chapter 203 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:

3.1 - Budget year contribution.

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

(b) The established actuarial assumptions supporting the required amount determined under paragraph (a). The county executive shall submit an informational report to the committee on finance, personnel and audit and the committee on finance, personnel and audit 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 committee on finance, personnel and audit and the committee on finance, personnel and audit (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 require-

ments 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 15. The provisions of this Ordinance shall become effective upon passage and publication.

Adopted by the Milwaukee County Board of Supervisors May 24, 2012

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