

From the Chief Health Policy Advisor, Office of the County Executive, requesting adoption of a framework for an ongoing COVID-19 response within the organization of Milwaukee County, by recommending adoption of the following:

A SUBSTITUTE RESOLUTION

WHEREAS, in March of 2020, the World Health Organization declared the Novel Coronavirus Disease (COVID-19) a global pandemic and, on March 13, 2020, the County Executive declared a local public health emergency due to COVID-19; and

WHEREAS, through Administrative Orders based on the Declaration of Emergency, Milwaukee County has since implemented numerous mitigation measures intended to slow the spread of COVID-19 and protect employees, service users, and the public; and

WHEREAS, the Milwaukee County Board of Supervisors possesses the legal authority to affirm, modify, or terminate emergency orders issued by the County Executive pursuant to Wis. Stat. § 323.14(4)(b) which states:

“If, because of the emergency conditions, the governing body of the local unit of government is unable to meet promptly, the chief executive officer or acting chief executive officer of any local unit of government shall exercise by proclamation all of the powers conferred upon the governing body. . .that appear necessary and expedient. The proclamation shall be subject to ratification, alteration, modification, or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the prior validity of the proclamation.”

; and

WHEREAS, from the time the County Executive issued the COVID-19 Emergency Proclamation through the end of 2021, the Milwaukee County Board of Supervisors has met 33 times, demonstrating the ability to swiftly meet and act if needed; and

WHEREAS, the Milwaukee County Board of Supervisors, in File No. 21-918, voted to terminate the COVID-19 Emergency Proclamation, effective February 28, 2022; and

WHEREAS, the termination of the COVID-19 Emergency Proclamation was done with adequate lead time to allow the Office of the County Executive to issue a report outlining the Emergency Orders that have been ratified by the County Board and which ones needed approval to extend beyond February 28, 2022; and

46 WHEREAS, at its meeting on January 20, 2022, the Committee on Judiciary,
47 Safety and General Services reviewed a report requesting adoption of a framework for
48 an ongoing COVID-19 response within the organization of Milwaukee County, but the
49 report did not provide a list of specific Administrative Orders that need to be authorized
50 to extend beyond the February 28, 2022 deadline as agreed to in File No. 21-918; and
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52 WHEREAS, the Committee on Judiciary, Safety and General Services voted to
53 lay this file over to the call of the chair so the deadline to terminate the COVID-19
54 Emergency Proclamation could be extended and policymakers could receive a
55 reconciliation of which orders are already authorized by the County Board, which ones
56 require authorization by the County Board to have effect beyond March 31, 2022, or
57 which Administrative Orders can be administered within the authorities granted to the
58 County Executive under County ordinances and State statutes; and
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60 WHEREAS, on February 3, 2022, the Committee on Judiciary, Safety and
61 General Services held a special meeting to consider a substitute resolution to the file
62 submitted by the Office of the County Executive to extend the termination deadline of
63 the COVID-19 Emergency Proclamation to April 1, 2022 to allow the Office of the
64 County Executive adequate time to provide the requested information to the County
65 Board of Supervisors for review and consideration; and
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67 WHEREAS, the Committee on Judiciary, Safety, and General Services, at its
68 special virtual meeting of February 3, 2022, recommended adoption of File No. 22-298
69 as substituted (vote 4-0); now, therefore,
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71 BE IT RESOLVED, pursuant to Wis. Stat. § 323.14(4)(b), the Milwaukee County
72 Board of Supervisors ("County Board") hereby terminates the COVID-19 Emergency
73 Proclamation declared by the County Executive on March 13, 2020 and the termination
74 shall take effect on April 1, 2022, superseding the termination date in File No. 21-918;
75 and
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77 BE IT FURTHER RESOLVED, any Administrative Orders intended to extend
78 beyond March 31, 2022 must be approved by the County Board to continue to have
79 effect beyond March 31, 2022, if not already expressly authorized by the County Board;
80 and
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82 BE IT FURTHER RESOLVED, the March 1, 2022 termination date for the
83 COVID-19 Emergency Proclamation, per File No. 21-918, adopted November 4, 2021 is
84 hereby extended to April 1, 2022 to allow the Office of the County Executive to submit
85 an action report regarding which Administrative Orders have been ratified by the County
86 Board, which require approval of the County Board by March 31, 2022 to continue to
87 have effect beyond that date, and which Administrative Orders can be administered
88 within the authorities granted to the County Executive by County ordinances or State
89 laws.

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