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FROM THE OFFICE OF JOSPEH J. CZARNEZKI

MILWAUKEE COUNTY CLERK

County Ordinance No. 12-12

File No. 12-363

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

AN ORDINANCE

SECTION 1.

Chapter 1 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:

1.01. Meetings.

(a) Annual meeting. The statutory or annual meeting of the county board shall be convened at 8:30 a.m. on the Monday next succeeding the regularly scheduled monthly meeting on the first Thursday in November for the purpose of considering reports of the committee on finance, personnel and audit on new positions for the next fiscal year as well as recommendations for amendments to the executive's budget. The county board shall reconvene no less than sixty (60) minutes following the noon lunch hour recess or by consensus of the county board.

1.10. Fiscal notes.

(1) No resolution or ordinance shall be considered by the county board, or by any committee thereof to which it has been referred, unless it shall have attached as a note a reliable estimate of the fiscal effect. The fiscal note shall be prepared on a form approved by the committee on finance, personnel and audit and supplied by the department of administrative services. With respect to any collective bargaining agreement, any amendment to chapter 17 of the general ordinances affecting wages or benefits, or any other action affecting the wages or benefits of county employees, the fiscal note shall include as much information as is practicable under the circumstances about the fiscal impact upon each department affected by the action. In addition, at minimum, the fiscal note shall set forth details of the projected annual countywide fiscal impact projected for each year of the collective bargaining agreement or, in the case of any other

47 action affecting the wages or benefits of county employees, shall contain
48 information regarding the projected fiscal impact at least five (5) years into the
49 future. When necessary, affected agencies may assist the author in the
50 preparation of the fiscal note.

51

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

55

56 **1.11. Standing committees.**

57

58 (a) As soon as practical, after his/her election, the following standing committees
59 shall be appointed by the chairperson of the county board. Each committee shall consist
60 of seven (7) members except as herein otherwise specifically designated.

61

62 1. Committee on finance, personnel and audit. (Nine (9) members
63 including two co-chairpersons.

64

65

66 2. Committee on health and human needs.

67

68 3. Committee on judiciary, safety and general services.

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70 4. Committee on parks, energy and environment.

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72 5. Committee on transportation, public works and transit.

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74 6. Committee on economic and community development.

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76 7. Committee on intergovernmental relations. (Seven (7) members,
77 consisting of the chairperson of the county board, the first vice-chair, the
78 second vice-chair, two (2) standing committee chairs that are not also
79 serving as first or second vice-chair, and two additional members.)

80

81 8. Committee of the whole. (Eighteen (18) members, chairperson
82 being the chairperson of the county board and vice-chairperson being the
83 first vice-chairperson of the county board.)

84

85 (b) The chairperson of the board shall make written announcements of his/her
86 appointments to said committees and shall designate a chairperson and vice
87 chairperson of each of said committees, except for the committee on finance,
88 personnel and audit which shall have two co-chairpersons and one vice-
89 chairperson. The order of members' names in the chairperson's written
90 announcement of appointment shall denote seniority on the county board. In
91 case of a vacancy in any committee, the same shall be filled by written
92 appointment by the chairperson of the board. The chairperson of the board may,

93 at his/her discretion, change the composition of said committees including the
94 designation of the chairperson or co-chairperson(s) and vice chairperson. In the
95 event of a vacancy in the office of the county board chairperson and a successor
96 is elected, such successor may, after his/her election and in the manner
97 hereinabove provided, make any changes in committee appointments.
98

99 (c) The duties of such committees shall be to have charge of the several
100 matters hereinafter designated but such enumeration shall not be exclusive:
101

102 (1) *Committee on finance personnel and audit.* All matters affecting
103 reclassification and compensation, hours, benefits and conditions of
104 employment of county offices and employee personnel, and the
105 classification and pay of additional positions; departmental policy of the
106 civil service commission; administration of employees' award program. (The
107 co-chairpersons of the committee on finance, personnel and audit may
108 appoint an advisory committee consisting of the county executive or
109 designee, the corporation counsel or designee, the director of the
110 department of administrative services or designee, the director of human
111 resources or designee, and a member of the committee to assist in the
112 administration of the employees' award program.) Departmental policy of
113 department of human resources and divisions of labor relations and
114 employee benefits.
115

- 116
- 117 1. Departmental policy of: the general office of the county
118 executive, general office of the county board, department of audit,
119 department of administrative services (divisions of administration &
120 fiscal affairs, information management services, procurement, and
121 risk management), and county treasurer.
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- 123 2. County budget matters.
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- 125 3. Issuance of debt.
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- 127 4. Taxation matters.
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- 129 5. Insurance matters.
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- 131 6. Need for additional positions.
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- 133 7. Policy matters having a fiscal effect outside the current
134 budget.
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- 136 8. Review the reports of the audit department to ensure that
137 departments implement the many program improvements and cost
138 saving recommendations so that the county board can provide the

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best service at the lowest possible cost to the taxpayer. (The co-chairpersons of the committee on finance, personnel and audit may appoint a special audit implementing subcommittee to spearhead the implementation of audit department report recommendations.)

9. Other financial matters of concern to the county.

(2) *Committee on health and human needs.*

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

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

3. All matters pertaining to the department on aging.

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

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

(3) *Committee on judiciary, safety and general services.*

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

2. (a) *Actions against the county.* The Committee, subject to full Board approval, shall review and approve all matters pertaining to suits or claims against the county, including, but not limited to, those for personal injuries and property damage. The committee has the authority to approve the payment of claims against the county in an amount not to exceed \$10,000 and to recommend to the board approval or denial of claims and settlements in excess of that amount.

(b) *Actions initiated by the county.* The Committee, subject to full Board approval, shall approve the initiation of all suits or claims by the county against other persons or entities where the amount claimed exceeds \$10,000.00 or where the rights sought to be declared have a potential fiscal effect on the county in excess of \$10,000.00, except when the County Executive approves the

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initiation of an action on an emergency basis to preserve property, to protect the life, health or welfare of persons, or to obtain an injunction on the grounds set forth in Chapter 813, Wis. Stats. In the event the County Executive authorizes Corporation Counsel to file an action under this exception, Corporation Counsel shall provide a report to the Committee members and the County Board Chair immediately upon receiving the County Executive's authorization of such action.

(c) Corporation counsel is delegated authority to approve the payment of claims against the county where the payment is no more than \$500, pursuant to §59.52(12)(b) of the statutes. Corporation Counsel is authorized to initiate claims or suits by the county against other persons or entities where the amount claimed is \$10,000.00 or less.

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

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

4. Purchase of surety bonds.

5. Action required by state statute.

(4) *Committee on parks, energy and environment.*

1. Departmental policy of department of parks, recreation and culture, , zoological gardens, public museum, cultural activities (including funds for the arts), university extension service and the environmental section of the department of administrative services.

2. County parks and parkways.

3. Matters pertaining to war memorial board of trustees.

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

5. All matters pertaining to protection of environment including, but not limited to, water pollution, noise pollution, insecticide control, lakeshore erosion, community beautification activities, land utilization, street tree replacement studies and other environmental control oriented programs over which the county has authority to

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exercise control or in relation to which the county has an interest requiring the expression of policy. The term "environment" also encompasses the concept of home environment as well as natural environment.

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

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

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

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

(5) *Committee on transportation, public works and transit.*

1. Departmental policy of: Department of Transportation airport, transportation services, highway, fleet management, county transit/paratransit system, administration; and Department of Administrative Services facilities management division, including architectural, engineering & environmental services and sustainability section.

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

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

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

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

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

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

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

9 All transportation matters pertaining to disadvantaged business enterprises.

(6) *Committee on economic and community development.*

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

2. All matters pertaining to the Research Park and Airport Business Park.

3. The study and recommendations of all plans, projects and programs for fostering community development throughout the county, including the urban county development block grant program and the survey of available improved and unimproved housing sites and funds for county housing purposes.

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

5. The study, review and recommendation of plans and solutions of housing persons displaced from their dwellings by governmental actions of the county or the municipalities which compose it, and the coordination and implementation of relocation plans and procedures with federal, state and local agencies and units of government within the county.

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6. Veteran's housing.

7. All policy matters pertaining to disadvantaged business enterprises.

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

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

1.13. Committee meetings.

(a) *Regular committee meetings.*

(1) Except when otherwise determined by the respective chairperson, regular meetings of standing committees shall be held on the days hereinafter specified. If the meeting day falls on an election day for a county-wide election or special election of county board supervisor or Election Day for President, the chairperson or co-chairpersons of the committee shall reschedule the meeting to a day other than the election day. The meeting shall be called to order promptly on the days and at the hour hereinafter specified, or such time as is designated in the notice of meeting by the chairperson or co-chairpersons of the committee (or in his/her absence, the ranking member thereof). Meeting days of standing committees shall be as follows:

(a) Transportation, public works and transit--third Wednesday before county board meeting--9:00 a.m.

(b) Judiciary, safety and general services--second Thursday before county board meeting--9:00 a.m.

(c) Economic and community development--second Monday before county board meeting--9:00 a.m.

- 368 (d) Parks, energy and environment--second Tuesday before
369 county board meeting--9:00 a.m.
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371 (e) Health and human needs--second Wednesday before county
372 board meeting--9:00 a.m.
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374 (f) Finance, personnel and audit--first Thursday before county
375 board meeting--9:00 a.m.
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378 (g) Intergovernmental relations--at call of chairperson.
379
380 (h) Committee of the Whole--at call of chairperson.
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382 (b) *Special committee meetings.* Special meetings of the standing
383 committees may be called by the chairperson or co-chairpersons of the
384 committee, and must be called upon written request to the chairperson or co-
385 chairpersons by a majority of the members of such committee. At least twenty-
386 four (24) hours prior notice of such special meeting shall be given by the
387 committee clerk to each member of such committee, unless for good cause such
388 notice is impracticable, in which case shorter notice may be given, but not less
389 than two (2) hours in advance of the meeting. An announcement by the
390 chairperson of the board while the board is in session, of the time, place and
391 subject matter of a special meeting of a committee to be held during a recess,
392 shall be sufficient notice to the members of the committee.
393

394 (c) *Committee general procedure.* All meetings of a committee shall be
395 conducted in accordance with the provisions of ss. 19.81--19.98, Wis. Stats. The
396 attendance of a majority of the members thereof shall be requisite for the
397 transaction of business of a committee. Without a majority in attendance, a
398 committee may consider informational items only. Committee agenda are to be
399 prepared so that members of the county board and other interested parties will
400 receive the agenda by United States, electronic or interoffice mail at least 24
401 hours before the scheduled committee meeting. All matters to be placed on the
402 agenda must be received prior to the agenda deadline as established by the
403 respective committee chairperson(s). Committee chairperson(s) must schedule a
404 properly referred item within a maximum of two regular county board committee
405 cycles. Once scheduled and publicly noticed, an item may only be withdrawn
406 according to the provisions of 1.13(d)(8). If the item is withdrawn by sole action
407 of the committee chair or co-chairpersons pursuant to 1.13(d)(8), the item must
408 be placed on the committee agenda for the next regularly scheduled meeting and
409 may not be withdrawn again.
410

411 The committee clerk shall enter in appropriate files kept for that purpose, a
412 complete record of all such committee meetings, including attendance,, appearances for
413 and against pending matters, and minutes of the proceedings, including all motions

414 made and by whom, how each member voted upon each matter considered, together
415 with the final action by the committee thereon. All actions taken by the committee shall
416 be by roll call vote. No action shall be taken on any proposed ordinance unless it be in
417 written form before the committee.

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419 Except as herein provided and so far as applicable, the rules of procedure of the
420 county board shall apply to committee meetings. Minority rules shall not apply to
421 committee meetings.

422

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

431

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

435

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

442

443 (d) Committee motions and voting procedure.

444

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

449

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

452

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

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

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

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

(7) No motions, or debate on motions, shall be made from the chairperson. If the chairperson wishes to make, or to speak at any length on, a motion, the chairperson shall turn over the gavel to the 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 the 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.

(b) *Committee report laid over on request.* Action on the report of any committee as defined in subsection (a) of this section, when it first makes its report, shall be deferred until the next meeting of the county board if one-third 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.

506 With the affirmative vote of one-third of the members present and voting at any
507 meeting of the county board, any resolution, ordinance or report shall be referred to the
508 corporation counsel and the written opinion of the latter secured as to the legality of the
509 resolution or ordinance offered, or the recommendation made in any report presented to
510 the county board for adoption. Such opinion shall be rendered to the county board at its
511 next meeting held not less than forty-eight (48) hours after the referral, and copies
512 distributed to all members. The resolution, ordinance or report, shall not be rereferred
513 again to the corporation counsel for a legal opinion except by a majority vote of the
514 members present.

515

516 The above rule shall not apply to:

517

518 (1) The report of the committee on finance, personnel and audit on the
519 executive budget.

520

521 (2) Resolutions proposing amendments to the executive budget.

522

523 (3) Resolutions proposing tax levies.

524

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

528

529 **1.16. Requests relating to personnel matters.**

530

531 (b) *New positions.* Personnel requests relating to the creation of new
532 positions, which are required during a current fiscal year because of an urgent
533 need, may be submitted to the county board at any time during such year.
534 Personnel requests relating to the creation of new positions to become effective
535 and to be included in the budget of the following fiscal year shall be submitted to
536 the county executive by such date as determined by the county executive. All
537 requests for current year new positions shall be referred to the committee on
538 finance, personnel and audit, the department of human resources and the
539 department of administrative services. The department of administrative services
540 shall submit a recommendation regarding the necessity for the requested
541 positions to the committee on finance, personnel and audit, and the department
542 of human resources shall submit its recommendations regarding the classification
543 of new positions to be created during the current budget year as soon as
544 reasonably possible. The department of administrative services shall submit
545 recommendations regarding the necessity for new positions requested for the
546 next fiscal year to the county executive for consideration in the subsequent year's
547 executive budget. The committee on finance, personnel and audit shall review
548 positions recommended for creation by the county executive during its hearings
549 on the executive budget and report its recommendations to the county board on
550 or before the Monday next succeeding the regularly scheduled monthly meeting
551 on the first Thursday in November. The department of human resources shall

552 submit its recommendations to the committee on finance, personnel and audit
553 regarding the classification and pay for new positions for the next fiscal year
554 recommended by the county executive and/or committee on finance, personnel
555 and audit, so the committee on personnel can report its recommendations to the
556 county board on or before the Monday next succeeding the regularly scheduled
557 monthly meeting on the first Thursday in November.

558
559 (c) *Review by county board staff.* If the personnel request is for new positions
560 in the department of administrative services, it shall also be reviewed by the
561 county board staff and a recommendation regarding the necessity for the
562 requested positions submitted to the committee on finance, personnel and audit.
563 If the request relates to reclassifications, reallocations, appointments at an
564 advanced step of the pay range and advancements within the pay range in the
565 department of human resources, it shall be reviewed by the county board staff
566 and processed in a manner consistent with the authority granted to the director of
567 human resources under chapter 17 of the Code.
568

569

570 **1.17. Procedures for consideration of personnel requests.**

571

572 (a) *Definitions.* Where used in this subsection, the following words shall
573 mean:

574

575 (1) County board shall mean the county board of supervisors.

576

577 (2) Commission shall mean the county civil service commission.

578

579 (3) Committee shall mean the committee on finance, personnel and
580 audit.

581

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

586

587 (5) Code shall mean the Milwaukee County Code of General
588 Ordinances.

589

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591 (c) *Hearing on personnel request.* At such hearing, the procedure in
592 considering such personnel request shall be as follows:

593

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

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(2) When the petitioner has concluded his/her argument, the commission 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 subsection, 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 recommendation thereon to the committee on finance, personnel and audit of the county board. If the county executive fails to

644 make a recommendation within ten (10) days after the submission of a request for
645 transfer, the committee on finance, personnel and audit may act upon such request
646 without his/her recommendation.

647
648 **1.24. Budgetary procedure.**

649
650 (3) *Committee on finance, personnel and audit hearings.*

651
652 (a) The committee on finance, personnel and audit shall not
653 commence its review of the executive budget until at least seven (7) days
654 succeeding the official receipt of the executive budget, in order to allow
655 finance, personnel and audit members and county board staff sufficient
656 time to review the budget, meet with departmental personnel and develop
657 suggested amendments to the budget. It is also intended that this period
658 will be utilized by other supervisors not on the committee to familiarize
659 themselves with the budget and to begin preparation of budget
660 amendments so as to allow for introduction of those amendments during
661 the time the committee is conducting hearings.

662
663 **SECTION 2.**

664
665 Chapter 15 of the Milwaukee County Code of General Ordinances, up to and including
666 May 23, 2012, is hereby amended as follows:

667
668 **15.215. - Investment of county funds.**

669
670 (2) It is the policy of the county board to invest county funds, not
671 immediately needed, in accordance with state statutes in order to obtain
672 interest revenue for the county. To effectuate such policy, the county
673 treasurer and/or appropriate designee, therefore, is authorized and
674 directed to purchase, redeem, sell, exchange, invest or otherwise obtain or
675 dispose of investments and securities as are authorized by statute, on a
676 noncompetitive basis. The county treasurer shall submit on a quarterly
677 basis, for review by the county board finance, personnel and audit
678 committee, a report on the investment policies and practices, the
679 investment activities and the investment performance of the monies under
680 the jurisdiction of the county treasurer.

681
682 **15.23. - Payments to the county.**

683 (2) *Protested payments.* If a check tendered to make any payment to
684 the county is not paid by the bank on which it is drawn, or if a demand for
685 payment under a debit or credit card transaction is not paid by the bank
686 upon which demand is made, the person by whom the check has been
687 tendered or the person entering into the debit or credit card transaction
688 shall remain liable for the payment of the amount for which the check was
689 tendered or the amount agreed to be paid by debit or credit card and for all
690 legal penalties, additions, bank charges and a charge for administrative

691 costs of twenty-five to fifty-five dollars (\$25.00 to \$55.00), to be set by the
692 treasurer. The treasurer shall notify the committee on finance, personnel
693 and audit within ten (10) days of changing the administrative fee to any
694 amount within the aforementioned range. In addition, the department
695 administrator to whom the check was tendered or to whom the debit or
696 credit card was presented may, if there is a probable cause to believe a
697 crime has been committed, provide any information or evidence relating to
698 the crime to the district attorney for prosecution as provided by law. If any
699 license has been granted upon any such check or any such debit or credit
700 card transaction, the license shall be subject to cancellation for the
701 nonpayment of the check or failure of the bank to honor the demand for
702 payment authorized by debit or credit card.

703

704 **SECTION 3.**

705

706 Chapter 17 of the Milwaukee County Code of General Ordinances, up to and
707 including May 23, 2012, is hereby amended as follows:

708

709 **17.05. - Determination of appropriate classification of position.**

710

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

714

715 (1) *Creation of additional positions.* Each department is limited to the total
716 number of positions or staffing authorized in the adopted annual budget unless
717 an increase or decrease in the number of authorized positions or staffing is
718 approved by the county board, subject to the review of the county executive,
719 during the year. After adoption of the annual budget, the number of authorized
720 positions or staffing may be increased or decreased in accordance with the
721 following procedure:

722

723 (b) The director of the department of administration shall review each
724 request with respect to need and appropriateness and file a
725 report with the committee on finance, personnel and audit. The
726 committee on finance, personnel and audit shall report its
727 recommendation to the county board.

728

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

734

735 (3) In the event the requestor and the director of human resources cannot
736 agree on the appropriate classification for an existing position either party may
737 appeal to the committee on finance, personnel and audit within thirty (30) days of

738 receiving notice of the director final recommendation. Both parties shall submit a
739 written summary of the rationale for their opinion to the committee on finance,
740 personnel and audit as well as any other information deemed appropriate. The
741 decision of the county board on the committee recommendation subject to review
742 by the county executive shall be final and if a change in classification is approved
743 it shall be implemented the first day of the pay period following that in which a
744 resolution adopted by the county board has been approved by the county
745 executive and in compliance with collective bargaining agreements.
746

747 (c) All reclassification studies shall also be subject to the following:
748

749 (4) An employee who holds a position which is reclassified to a higher pay
750 range shall receive an increase to the next rate in the new pay range which is
751 higher than the rate of pay received in the old pay range or as otherwise
752 approved by the committee on finance, personnel and audit subject to county
753 board and county executive action.
754

755 (5) A vacant position reclassified to a classification in a lower pay range shall
756 be implemented the first day of the first pay period following the meeting of the
757 committee on finance, personnel and audit in the event no action was taken on
758 the specific recommendation contained in the informational report submitted to
759 committee by the director of human resources. When a filled position is
760 reclassified to a classification in a lower pay range, the incumbent shall be placed
761 on the layoff/recall list for an indefinite time period, without bumping rights, for the
762 higher classification or a comparable classification if the classification is unique
763 and the reclassification shall not be implemented until the position becomes
764 vacant or the incumbent is relocated. In the event the incumbent refuses an offer
765 to be relocated, the position shall be reclassified to the classification in the lower
766 pay range the first day of the first pay period following his/her refusal to be
767 relocated.
768

769 (7) Monthly while a reclassification is pending, the director of human
770 resources shall provide a report to the committee on finance, personnel and audit
771 which lists all position reclassifications which the director intends to approve,
772 along with a fiscal note for each. This report shall be distributed to all county
773 supervisors and placed on the committee agenda for informational purposes. If a
774 county supervisor objects to the decision of the director within seven (7) working
775 days of receiving this report the reclassification shall be held in abeyance until
776 resolved by the county board, upon recommendation of the committee, and
777 subsequent county executive action. If no county supervisor objects, the
778 reclassification shall be implemented the first day of the first pay period following
779 the meeting of the committee and in compliance with collective bargaining
780 agreements. In the event the county board takes no action on a reclassification,
781 after receipt of a recommendation from the committee, the reclassification shall
782 be implemented the first day of the first pay period following action by the county

783 executive or, in the event of a veto, final county board action and in compliance
784 with collective bargaining agreements.

785

786 **17.055. - Reallocation of existing nonrepresented classifications, with the**
787 **exception of elected officials and constitutional officers.**

788

789 Whenever labor market conditions or other factors indicate that compensation
790 for existing classifications is not sufficient to recruit and retain qualified employes a
791 department head or appointing authority may request the director of human resources
792 to review the compensation provided for the classification:

793

794 (1) The director of human resources shall review the request and inform the
795 requestor of his/her findings. All recommendations of the director to reallocate a
796 nonrepresented classification shall be included in a report distributed to all county
797 board supervisors. In the event the requestor does not concur with the director's
798 recommendation it may be appealed to the committee on finance, personnel and
799 audit within thirty (30) days of receipt of such notice. The decision of the county
800 board on the committee recommendation, subject to review by the county
801 executive, shall be final. In the event the county board approves an adjustment in
802 the level of compensation for a classification the action shall be implemented the
803 first day of the pay period following that in which the resolution adopted by the
804 county board is approved by the county executive.

805

806 (4) Monthly while a reallocation is pending, the director of human resources
807 shall provide a report to the committee on finance, personnel and audit which
808 lists all classification reallocations which the director intends to approve, along
809 with the fiscal note for each. This report shall be distributed to all county
810 supervisors and placed on the committee agenda for informational purposes. If a
811 county supervisor objects to the decision of the director within seven (7) working
812 days of receiving this report the reallocation shall be held in abeyance until
813 resolved by the county board, upon recommendation of the committee, and
814 subsequent county executive action. If no county supervisor objects, the
815 reallocation shall be implemented the first day of the first pay period following the
816 meeting of the committee. In the event the county board takes no action on a
817 reallocation, after receipt of a recommendation from the committee, the
818 reallocation shall be implemented the first day of the first pay period following
819 action by the county executive or, in the event of a veto, final county board
820 action.

821

822 **17.08. - Temporary appointments, temporary positions.**

823

824 (2) *Temporary positions and appointments not within authorized quota of*
825 *permanent positions.*

826

827 (b) Request for authority to extend the time of temporary positions
828 beyond six (6) months shall be submitted to the county board and

829 referred to the committee on finance, personnel and audit and the
830 department of administration. The department of administration
831 shall submit a recommendation regarding the necessity for the
832 extension of such temporary positions to the committee on
833 finance, personnel and audit as soon as possible.
834

835 **17.085. - Temporary assignment to a higher classification.**
836

837 Nonrepresented employees may be assigned to perform the duties of a position
838 in a higher classification and shall be paid as though promoted to the higher
839 classification under the following conditions:
840

841 (5) The provisions of this section in subsections (1) and (2) above may be
842 waived, for good reason, only upon approval of the county board. The decision
843 of the county board on the committee on finance, personnel and audit
844 recommendation, subject to review by the county executive, shall be final and
845 shall be effective the pay period after the resolution adopted by the county
846 board is approved by the county executive.
847

848 **17.09. - Salary rate on new appointments.**
849

850 Appointments to newly created or vacant positions in pay ranges shall be
851 made at the first step of the range except as follows, unless otherwise specified in a
852 collective bargaining agreement:
853

854 (3) The director of human resources shall provide a monthly report to the
855 committee on finance, personnel and audit which lists all new appointments at
856 an advanced step of the pay range, along with a fiscal note for each. This
857 report shall be distributed to all county supervisors and placed on the
858 committee on finance, personnel and audit agenda for informational purposes.
859

860 **17.10. - Advancement within a pay range.**
861

862 The incumbent of a position shall be advanced to the next highest rate of pay
863 in the pay range provided for the classification only upon meritorious completion of
864 two thousand eighty (2,080) straight time hours paid. Deviation from this requirement
865 is permissible under the following conditions:
866

867 (2) The director of human resources may approve the request of any
868 department head to advance a promoted employee or incumbent of a
869 reclassified position one (1) additional step in the range if the employee would
870 have advanced in the classification from which they were promoted to the
871 same rate of pay within ninety (90) days of the promotion. The decision of the
872 director may be appealed to the committee on finance, personnel and audit
873 within thirty (30) days of notice. The decision of the county board on the

874 committee recommendation, subject to review by the county executive, shall
875 be final.

876
877 (3) Department heads:

878
879 (c) In subsections (a) and (b) above the decision of the director of
880 human resources may be appealed to the committee on finance,
881 personnel and audit within thirty (30) days of notice. The decision
882 of the county board on the committee's recommendation, subject
883 to review by the county executive, shall be final and shall be
884 implemented the first day of the first pay period following review
885 by the county executive, or in the event of a veto, final county
886 board action.

887
888 (4) Monthly while any advancements within a pay range requested by
889 departments, pursuant to subsections (3)(a) and (3)(b) are pending, the
890 director of human resources shall provide a report to the committee on finance,
891 personnel and audit which lists all such advancements which the director
892 intends to approve, along with a fiscal note for each. This report shall be
893 distributed to all county supervisors and placed on the committee agenda for
894 informational purposes. If a county supervisor objects to the decision of the
895 director within seven (7) working days of receiving this report the advancement
896 shall be held in abeyance until resolved by the county board, upon
897 recommendation of the committee, and subsequent county executive action. If
898 no county supervisor objects, the advancement shall be implemented the first
899 day of the first pay period following the meeting of the committee. In the event
900 the county board takes no action on an advancement, after receipt of a
901 recommendation from the committee, the advancement shall be implemented
902 the first day of the first pay period following action by the county executive or,
903 in the event of a veto, final county board action.

904
905 **17.14. - Employment definitions.**

906
907 (1) Payment for full-time employment. The compensation represents the
908 remuneration for full-time employment except in those cases where it is
909 specifically stated that the rates of pay are a proportionate part of the total
910 compensation and are for part-time employment. Only one (1) full-time
911 employe may occupy an authorized full-time position on an active basis. When
912 the need arises, a department head or appointing authority may request
913 approval from the county board to actively employ more than one (1) active
914 full-time employe in a full-time authorized position for a specified period of time.
915 Such requests shall be considered by the committee on finance, personnel and
916 audit after receipt of a report from the director of human resources.

917
918 **17.23. - Dual employment.**

919

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

930

931 **17.25. - Vacancies; how filled.**

932

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

941

942 **17.265. - Executive compensation plan.**

943

944 All employees of the county who hold positions considered to be managerial
945 shall be compensated in accordance with the provisions of the executive
946 compensation plan. The following definitions and policies, shall be utilized to maintain
947 the executive compensation plan and ensure that all management positions are
948 identified and compensated in a consistent and equitable manner.

949

950 (1) Management/supervisor definition. To assure that the executive
951 compensation plan includes only positions which are truly managerial, it is
952 necessary to define the term "management position." Oftentimes, supervisory
953 positions are structured in such a way that the duties involved could be
954 misconstrued as being managerial; therefore, it is also necessary to define
955 "supervisory position." It is intended that these definitions will be used by
956 department heads, the department of human resources, and ultimately the
957 finance, personnel and audit committee and county board as the cornerstone
958 to identify positions which are to be included in, or excluded from, the
959 executive compensation plan.

960

961 (2) Positions deemed by the director of human resources to meet the
962 management definition of this section shall be assigned to one of the levels of
963 management listed below. The director of human resources shall maintain and
964 distribute a narrative definition of each management level. Each management
965 level shall correspond to an ECP Grade(s) which shall consist, for 1999, of the

966 eight rate steps indicated below in 1999. These rate steps, when deemed
967 appropriate, may periodically be adjusted upon adoption of a resolution by the
968 county board. In 2000, the rates shall be adjusted by three (3) percent as
969 previously approved in county board file no. 97-476, adopted on June 19,
970 1997. The director of human resources shall: periodically conduct a review of
971 the salary increase trends for management positions which shall be forwarded
972 to the Committee on finance, personnel and audit for the determination of
973 adjustments for the year 2001 and beyond; and shall annually publish and
974 distribute ECP Grade information to all department heads and appointing
975 authorities.

976
977 (3) The salary rate steps of each ECP Grade shall be adjusted annually by
978 a general increase to reflect job market trends for management positions upon
979 adoption of a resolution by the county board. Upon implementation of such
980 general increase, the rate received by incumbents of ECP positions shall be
981 adjusted to reflect the general increase. A performance evaluation of each
982 employe holding an ECP position shall be forwarded to the director of human
983 resources no later than March 31 of each calendar year. The performance
984 evaluation shall be for employe performance during the prior calendar year,
985 and shall be conducted in accordance with procedures distributed by the
986 director of human resources. If the performance evaluation completed by their
987 appointing authority meets the criteria for such advancement, incumbents of
988 ECP positions shall be advanced to the next highest rate step in the respective
989 ECP Grade effective on the first day of the pay period which includes April 1.
990 An appointing authority may delay the implementation of the advancement to
991 the next highest rate step by six (6) or twelve (12) pay periods if he/she deems
992 such delay appropriate based on the employe's performance evaluation. New
993 appointees to an ECP position shall not be eligible for advancement to the next
994 highest rate step in the ECP Grade until completion of one year of service and
995 completion of a performance evaluation which indicates that he/she meets the
996 requirements for such advancement as determined by the appointing authority,
997 with such advancement not being effective prior to April 1 in any calendar year.
998 ECP employes receiving the maximum rate step for the respective ECP Grade,
999 shall be eligible for a performance award of up to four (4) percent of their
1000 annual salary, based on the evaluation of their performance in the prior
1001 calendar year by their appointing authority in accordance with instructions
1002 distributed by the director of human resources. A performance award shall be
1003 issued as a separate payment, and shall not be added to the recipient's bi-
1004 weekly salary but shall be included in the calculation of final average salary for
1005 pension calculation purposes. A performance award shall be processed as
1006 soon as possible after forwarding of an appropriate recommendation to the
1007 director of human resources, but no earlier than May 1 in any given calendar
1008 year. No employe compensated under this section shall advance to the next
1009 rate step or receive a performance award unless an appropriate performance
1010 evaluation recommending such advancement has been received by the
1011 director of human resources. The director, department of human resources

1012 shall annually provide an informational report to the county board finance,
1013 personnel and audit committee summarizing the results of the performance
1014 evaluation process. Notwithstanding the foregoing provisions, the county board
1015 of supervisors may determine, by a vote of the county board prior to March 31
1016 of each year, that no ECP employe shall advance to the next highest rate step
1017 or shall be issued a performance award in that calendar year.

1018
1019 (6) The director of human resources, or the appropriate appointing
1020 authority, may initiate a review of any position to determine if it should be
1021 included in, or deleted from, the ECP; or to determine if an existing ECP
1022 position is assigned to the proper management level and ECP Grade. All such
1023 reviews shall be conducted by the director of human resources and any
1024 revision to the management level or ECP Grade to which a position is assigned
1025 shall be reported to the county board finance, personnel and audit committee
1026 in the same manner as a reclassification of an existing position as included in
1027 the provisions of section 17.05 of the county ordinances. Except as may
1028 otherwise be noted in this section, all other provisions of sections 17.05 and
1029 17.10 of the county ordinances shall apply to any position included in the ECP.

1030

1031 **17.305 Residency for positions in the unclassified service.**

1032

1033 1.) All employees appointed to any position in the unclassified service on or
1034 after October 1, 2010, shall establish and maintain their domicile and principal
1035 place of residence within the geographic limits of Milwaukee County. New
1036 appointments in the unclassified service on or after October 1, 2010, shall have
1037 six months from the date of appointment to comply with this section. The
1038 Director, Department of Human Resources, may grant one extension of the
1039 foregoing requirement for up to six additional months, but in no case shall a
1040 waiver of the residency requirement under paragraph (1) above extend beyond
1041 one-year from the date of appointment. Failure to meet the applicable deadline
1042 shall result in termination. The Director of Human Resources shall provide
1043 written notice to the County Executive, the County Board Chair and the Co-
1044 Chairpersons of the Committee on Finance, Personnel and Audit of all
1045 extensions granted under this section.

1046

1047 2.) If the Director of Human Resources determines an unclassified position
1048 is essential to effective functioning of county operations and which, on the
1049 basis of classification, vacancy, experience and difficulty in recruitment, cannot
1050 be filled with qualified personnel under the requirements of paragraph (1) of
1051 this section, the Director may waive the residency requirement for that position.
1052 All waivers granted under this section are to be reported quarterly to the
1053 Committee on Finance, Personnel and Audit, and shall be reviewed at least
1054 annually by the Director to determine if a residency waiver is necessary to fill
1055 the position.

1056

1057 **17.99. - Automatic adjustments in certain officials' salaries.**

1058
1059 (3) The salary rate steps of each ECP Grade shall be adjusted annually by
1060 a general increase to reflect job market trends for management positions upon
1061 adoption of a resolution by the county board. Upon implementation of such
1062 general increase, the rate received by incumbents of ECP positions shall be
1063 adjusted to reflect the general increase. A performance evaluation of each
1064 employe holding an ECP position shall be forwarded to the director of human
1065 resources no later than March 31 of each calendar year. The performance
1066 evaluation shall be for employe performance during the prior calendar year,
1067 and shall be conducted in accordance with procedures distributed by the
1068 director of human resources. If the performance evaluation completed by their
1069 appointing authority meets the criteria for such advancement, incumbents of
1070 ECP positions shall be advanced to the next highest rate step in the respective
1071 ECP Grade effective on the first day of the pay period which includes April 1.
1072 An appointing authority may delay the implementation of the advancement to
1073 the next highest rate step by six (6) or twelve (12) pay periods if he/she deems
1074 such delay appropriate based on the employe's performance evaluation. New
1075 appointees to an ECP position shall not be eligible for advancement to the next
1076 highest rate step in the ECP Grade until completion of one year of service and
1077 completion of a performance evaluation which indicates that he/she meets the
1078 requirements for such advancement as determined by the appointing authority,
1079 with such advancement not being effective prior to April 1 in any calendar year.
1080 ECP employes receiving the maximum rate step for the respective ECP Grade,
1081 shall be eligible for a performance award of up to four (4) percent of their
1082 annual salary, based on the evaluation of their performance in the prior
1083 calendar year by their appointing authority in accordance with instructions
1084 distributed by the director of human resources. A performance award shall be
1085 issued as a separate payment, and shall not be added to the recipient's bi-
1086 weekly salary but shall be included in the calculation of final average salary for
1087 pension calculation purposes. A performance award shall be processed as
1088 soon as possible after forwarding of an appropriate recommendation to the
1089 director of human resources, but no earlier than May 1 in any given calendar
1090 year. No employe compensated under this section shall advance to the next
1091 rate step or receive a performance award unless an appropriate performance
1092 evaluation recommending such advancement has been received by the
1093 director of human resources. The director, department of human resources
1094 shall annually provide an informational report to the county board
1095 finance, personnel and audit committee summarizing the results of the
1096 performance evaluation process. Notwithstanding the foregoing provisions, the
1097 county board of supervisors may determine, by a vote of the county board prior
1098 to March 31 of each year, that no ECP employe shall advance to the next
1099 highest rate step or shall be issued a performance award in that calendar year.

1100
1101
1102

SECTION 4.

1103 Chapter 32 of the Milwaukee County Code of General Ordinances, up to and including
1104 May 23, 2012, is hereby amended as follows:

1105

1106 **32.25. - Purchasing and contracting procedure.**

1107

1108 (3) Purchases from any federal, state or local governmental unit or agency
1109 of surplus materials, supplies, commodities or equipment, as approved by the
1110 committee on finance, personnel and audit of the county board, and otherwise
1111 when expressly authorized by the county board.

1112

1113 **SECTION 5.**

1114

1115 **32.91. - Unreserved fund balance.**

1116

1117 (7) Every appropriation excepting an appropriation for a capital expenditure,
1118 or a major repair (operating 8500 accounting series), shall lapse at the close of
1119 the fiscal year to the extent that it has not been expended or encumbered. An
1120 appropriation for a capital expenditure or a major repair shall continue in force
1121 until the purpose for which it was made has been accomplished or abandoned.
1122 The purpose of such appropriation for any capital expenditure or a major repair
1123 shall be considered abandoned if three (3) years pass without any expenditure
1124 from, or encumbrance of, the appropriation concerned. A final comprehensive
1125 annual list of capital projects and major repairs identified as completed and/or
1126 recommended to be abandoned shall be submitted to the committee on
1127 finance, personnel and audit of the county board by the department of
1128 administrative services division of fiscal affairs no later than May 1st of each
1129 year. The committee shall review this report and submit its recommendations
1130 to the county board. Failure of the county board to take action prior to June 1
1131 shall be deemed approval of the department of administrative services
1132 recommendations.

1133

1134 (8) All enterprise funds must submit a quarterly report to the committee on
1135 finance, personnel and audit, a tabulation of year-to-day expenses and
1136 revenues, and projected year-end expenses and revenues. A corrective plan
1137 must also be provided for any net year-end deficits.

1138

1139

1140 **SECTION 6.**

1141

1142 Chapter 33 of the Milwaukee County Code of General Ordinances, up to and including
1143 May 23, 2012, is hereby amended as follows:

1144

1145 **33.03. - Functions of the personnel review board.**

1146

1147 The personnel review board shall:

1148

1149 (4) Meetings. All meetings of the board shall be announced in advance,
1150 shall be open to the public subject to the limitations of s. 19.85, Wis. Stats.,
1151 and minutes of such meetings, except those portions covering hearings on
1152 charges against employes, shall be submitted to the director of human
1153 resources, the civil service commission, the county executive, chairperson of
1154 the county board and co-chairpersons of the committee on finance, personnel
1155 and audit within two (2) weeks following the meeting.

1156

1157 **SECTION 7.**

1158

1159 Chapter 46 of the Milwaukee County Code of General Ordinances, up to and including
1160 May 23, 2012, is hereby amended as follows:

1161

1162 **46.03. - Imprest fund for emergency aid.**

1163

1164 An imprest fund of three thousand five hundred dollars (\$3,500.00) is established
1165 for the use of the department of human services in issuing aid checks in emergency
1166 cases where it is impossible to make aid payments in the regular manner. Examples of
1167 this condition are, but not limited to, client waiting for a replacement, payments where a
1168 computerized bookkeeping machine check cannot be prepared either because of
1169 insufficient information or computer inability, checks needed to cover transportation
1170 costs for medical treatment, or for special handling where a computerized check would
1171 be produced too late, although all computer edit checks are met.

1172

1173 The department shall obtain reimbursement for all such payments drawn on such
1174 imprest fund by including the items disbursed with a succeeding day's regular aid roll.
1175 The amount of deposit in the foregoing imprest fund, together with all unvouchered
1176 grants, shall at all times equal three thousand five hundred dollars (\$3,500.00). If
1177 payments exceed three thousand five hundred dollars (\$3,500.00), the director of the
1178 department shall notify the director of audits of the situation, giving the reasons this limit
1179 had to be exceeded. The director of audits shall notify the committee on finance,
1180 personnel and audit and the director of human services of necessary corrective action if
1181 he/she deems it necessary.

1182

1183 The director of the department of human services is authorized to sign checks
1184 drawn on this imprest fund and is also authorized to delegate his/her authority to sign
1185 checks to incumbents of the following positions in the department: deputy director I,
1186 accounting manager and business office supervisor. U.S. Bank is hereby designated as
1187 the depository for such imprest fund.

1188

1189 **SECTION 8.**

1190

1191 Chapter 56 of the Milwaukee County Code of General Ordinances, up to and including
1192 May 23, 2012, is hereby amended as follows:

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1194 **56.02. - Actions resulting in reduction of revenue.**

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(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 a corrective action plan to address any such reported deficits if it is determined that timely action is necessary. If such a situation should occur, the corrective action plan shall be reported to the committee on finance, personnel and audit 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.

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

(3) Applications for changes to the assignment of county passenger cars shall be made to, and reviewed by, the department of 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 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 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 the changed effective dates. No reimbursement to the county shall be required from members of the sheriff's department, or from investigators on the district attorney's staff, as law enforcement officers are exempted by federal regulations from this requirement. Such payment usage shall be reported on forms and in conformance with procedures approved by the county board's committee on finance, 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 5.05 of this Code of General Ordinances. Personal use of a county vehicle shall be defined as the use of the vehicle between the employee's home and his/her work location. Any other such use is prohibited.

56.26. - Procedure on sale of county securities.

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(1) The department of administration shall have the responsibility and authority to develop plans and take all steps necessary for the state of county securities, under the direction and supervision of, and subject to action by, the committee on finance, 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 finance, 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 finance, 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 finance, 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 financ, 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 finance, 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 finance, personnel and audit shall then be submitted to the county board at its meeting on the sale date.

56.30. - Professional services.

(2) *Policy.*

(c) *Fiscal constraint statement.* Notwithstanding any other provisions of section 56.30, during a period of fiscal constraint the county board may, by resolution, adopt a procedure which requires committee on

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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, departments shall provide a list to the county board of which capital projects contained in the recommended budget are intended to require the assistance of a professional services consultant. Departments are authorized to enter into contractual services or professional services agreements as may be required for specific capital improvement projects which have been approved by the county board through the budget process. Expenditures shall only be for those projects and professional services specifically identified in the budget write-up reviewed by the committee on finance, personnel and audit during the budget review process and approved by the county board, or for those projects approved by action of the county board. The budget write-up shall contain specific information as to the scope of the project, professional services required and estimated cost of the professional services work to be performed. The department of public works shall provide in February of each year to the committee on finance, personnel and audit and the committee on transportation, public works and transit an updated report on public works capital projects requiring the use of a professional services contract. Any professional services work costing more than twenty thousand dollars (\$20,000.00) which is not identified in the February report shall require county board approval.

(8) *Controller responsibility.*

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

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

SECTION 9.

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Chapter 57 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:

57.01. - Department of audit created, duties.

(1) There is hereby created an independent "department of audit" for the county with the departmental policies subject to the jurisdiction of the county board through its committee on finance, personnel and audit.

SECTION 10.

Chapter 73 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:

73.09. - Powers, duties.

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

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

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

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

SECTION 11.

Chapter 79 of the Milwaukee County Code of General Ordinances, up to and including May 23, 2012, is hereby amended as follows:

1425 79.02. - Responsibilities of the director.

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The director of labor relations shall be responsible for:

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(1) The negotiation of all collective bargaining agreements with certified bargaining representatives of the employees of the county conducted along policy lines established by the committee on finance, personnel and audit pursuant to chapter 80. The director of labor relations shall not agree, on behalf of the county, to any terms or provisions of a negotiated 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.

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79.03. - Referral of labor relations matters.

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All matters relating to labor relations introduced in the county board 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.

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79.04. - Submission procedures.

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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.

1471 79.05. - Departmental cooperation.
1472 In order to accomplish the purposes of this chapter, all departments in
1473 county government shall cooperate fully with the department of labor relations
1474 and its director in all areas of responsibility set forth herein. The county
1475 executive or his/her designee shall be permitted to attend all closed sessions
1476 of the committee on finance, personnel and audit of the county board when
1477 the subject of such closed session is the negotiation and/or the administration
1478 of proposed or existing collective bargaining agreements.
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1480 **SECTION 12.**

1481
1482 Chapter 80 of the Milwaukee County Code of General Ordinances, up to and including
1483 May 23, 2012, is hereby amended as follows:
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1485 80.01. - Function of the committee on finance, personnel and audit.
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1487 In addition to the duties prescribed in section 1.11(c)(1), the committee
1488 on finance, personnel and audit shall have charge of all matters arising under
1489 ch. 111, Wis. Stats.
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1491 80.02. - Election, certification and decertification.
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1493 The committee on finance, personnel and audit shall direct the conduct
1494 on behalf of the county of all proceedings ordered by the state employment
1495 relations commission relative to the election, certification and decertification of
1496 collective bargaining units, including proceedings for the determination of the
1497 number of employes, type of bargaining unit and eligibility of employes in the
1498 classified service, to participate in such elections.
1499

1500 80.03. - Collective bargaining.
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1502 Collective bargaining with certified bargaining units shall be carried on
1503 by the committee on finance, personnel and audit which shall adopt, and
1504 thereafter may amend, rules and procedures governing the conduct of such
1505 bargaining not in conflict with section 1.13(c) of the Code. Department heads
1506 and supervisory personnel shall not distribute to employes under their
1507 supervision any written communication bearing upon the subject matter or
1508 program of such collective bargaining or other employment relations matters,
1509 unless such communication shall have the prior approval of the corporation
1510 counsel.
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1512 80.04. - Agreements.
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1514 (1) The agreements reached at the conclusion of such collective bargaining,
1515 shall be reduced to writing in the form of a proposed ordinance or resolution
1516 by the committee on finance, personnel and audit which shall consider the

1517 fiscal impacts of the proposed ordinance or resolution and forward it with a
1518 positive or negative recommendation to the county board for its approval or
1519 rejection. Prior to its consideration, the committee on finance, personnel and
1520 audit shall be provided with any and all relevant information prepared by
1521 pension board actuaries, human resources, labor relations and department of
1522 administration staff and other relevant individuals regarding the immediate and
1523 long-term fiscal impacts associated with each agreement.
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1525 (2) A collateral agreement to an existing memorandum of agreement may be
1526 executed under the signature of the director of labor relations if:

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1528 (c) The director is so instructed in writing by the committee on
1529 finance, personnel and audit.

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1531 All collateral agreements executed under this subsection shall be
1532 reported to the committee on finance, personnel and audit on a quarterly
1533 basis.

1534 (3) Any proposed collateral agreement that meets any of the following
1535 conditions must be submitted for approval in the form of a resolution or
1536 ordinance to the committee on finance, personnel and audit:
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1539 80.07. - Employees excluded from recognized bargaining units.

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1541 The committee on finance, personnel and audit, civil service
1542 commission and the department of labor relations shall review the wages,
1543 hours and conditions of employment of all employees not represented by
1544 recognized employee organizations annually and submit their
1545 recommendations to the county board each year for the following year.
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1547 **SECTION 13.**

1548
1549 Chapter 201 of the Milwaukee County Code of General Ordinances, up to and
1550 including May 23, 2012, is hereby amended as follows:

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1552 3.1. - County contributions.

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1554 (1) Budget year contributions. The pension board shall furnish to the county
1555 executive, prior to June 1 of each year:

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1557 (b) The established actuarial assumptions supporting said required
1558 amount. The county executive shall submit an informational report to
1559 the committee on finance, personnel and audit for consideration
1560 during the June committee cycle, providing for an estimated
1561 contribution amount for the next year's budget and shall include this
1562 pension contribution amount in the executive budget as transmitted to

1563 the county board. The final amount appropriated in the adopted
1564 budget by the county board shall be the estimated contribution to be
1565 expensed in the bud get year, but paid to the system in the next
1566 following budget year (e.g., in 1984, an estimate will be made for the
1567 amount to be expensed in 1985 but paid in 1986).

1568
1569 (2) Current year contribution. The pension board shall furnish to the
1570 committee on finance, personnel and audit of the county board, annually, in
1571 time for the first county board committee cycle after the summer recess, a
1572 statement of the actual contribution required for the current year compared
1573 with the amount provided in the budget. The amount appropriated in the
1574 adopted budget shall be paid to the system, regardless of whether such
1575 amount is more or less than the actual amount required for that year, as
1576 determined by the final calculations prepared by the actuary retained by the
1577 system. Any overpayment or shortfall in the amount actually provided to the
1578 system for a given year shall be amortized over a five-year period,
1579 commencing with the contribution estimate prepared by the system's actuary
1580 for inclusion in the budget for the following year.

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1582 **SECTION 14.**

1583

1584 Chapter 203 of the Milwaukee County Code of General Ordinances, up to and
1585 including May 23, 2012, is hereby amended as follows:

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1587 3.1 - Budget year contribution.

1588

1589 The board shall furnish to the county executive, prior to June 1 of each
1590 year:

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1592 (b) The established actuarial assumptions supporting the required
1593 amount determined under paragraph (a). The county executive shall
1594 submit an informational report to the committees on finance, personnel
1595 and audit for consideration during the June committee cycle, providing
1596 for an estimated contribution amount for the next year's budget and
1597 shall include this pension contribution amount in the executive budget
1598 as transmitted to the county board. The final amount appropriated in the
1599 adopted budget by the county board shall be the estimated contribution
1600 to be expensed in the budget year, but paid to the system in the next
1601 following budget year (e.g., in 1992, an estimate will be made in the
1602 amount to be expensed in 1993 but paid in 1994).

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1604 3.2. - Current year contribution.

1605

1606 The board shall furnish to the committee on finance, personnel and
1607 audit of the county board, annually (beginning in June of 1992), in time for the
1608 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

1609 addressed by the committees at that time. In order to meet the requirements
1610 of this chapter, the county board is authorized to levy a tax, annually, which
1611 tax shall be in addition to all other taxes such county board has been
1612 authorized to levy upon all taxable property, real and personal. Such tax shall
1613 be levied and collected at the same time and in the same manner as other
1614 county taxes are levied and collected according to the law.

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1616 **SECTION 15.**

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1618 The provisions of this Ordinance shall become effective upon passage and publication.

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Adopted by the Milwaukee County Board of Supervisors

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May 24, 2012

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Engrossed by County Clerk 6/4/12

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