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4 **A SUBSTITUTE RESOLUTION/ORDINANCE**

5
6 amending Chapter 1 of the Milwaukee County Code of General Ordinances to ensure
7 public participation in the people's County business
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10 WHEREAS, the onset of the COVID-19 Pandemic spurred innovation in how
11 people work and the rapid adoption of video conferencing technology, with the County
12 Board beginning to conduct the people's business remotely on March 18, 2020; and
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14 WHEREAS, the County Board sought to update the Milwaukee County Code of
15 General Ordinances (MCGO) by permitting the use of teleconference technology when
16 it created MCGO Section 1.01(d) – *Remote Meetings* in File No. 20-570; and
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18 WHEREAS, since the onset of the pandemic, the County Board has rarely had
19 in-person quorums, with County business being handled entirely in hybrid (some people
20 in-person and others via Microsoft Teams) or fully virtual formats; and
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22 WHEREAS, it was revealed on October 11, 2022, during deliberations relating to
23 the 2023 Recommended Budget in File No. 22-1040, that the Administration's 2023
24 budget balancing tool showed respondents to the online platform skewed toward being
25 more educated and whiter than the County as a whole, leaving out individuals without
26 higher education, persons of color, and those lacking English fluency; and
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28 WHEREAS, not everyone among the public has the means or ability to utilize
29 teleconferencing technology and while teleconferencing technology increases flexibility
30 and eases communication over distance, it lacks the human element and the ability for
31 the people to directly petition their democratic government as practiced since the
32 foundation of this republic; and
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34 WHEREAS, the County Board adopted File No. 23-293 on March 23, 2023,
35 which changed ordinance language in the same section as this policy intends to do,
36 therefore necessitating this substitute resolution to clearly define existing ordinance
37 from the proposed change; and
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39 WHEREAS, it is clear that current Board practice is not equitable and works
40 against Milwaukee County's goal to become the healthiest county in Wisconsin by
41 limiting participation; and

WHEREAS, the Committee on Judiciary, Law Enforcement, and General Services, at its meeting of May 8, 2023, recommended adoption of File No. 23-250 as substituted (vote 4-1); now therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby supports members of the public being able to attend meetings in-person and amends Chapter 1 of the Milwaukee County Code of General Ordinances by adopting the following:

AN ORDINANCE

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

SECTION 1. Section 1.01(d) of the Milwaukee County Code of General Ordinances is hereby amended as follows:

1.01. – Meetings.

- (a) *Annual meeting.* The statutory or annual meeting of the county board shall be convened on the first or second Thursday in November, consistent with Wis. Stat. § 59.11(1)(a), for the purpose of considering reports of the committee on finance on new positions for the next fiscal year as well as recommendations for amendments to the executive's budget.
- (b) *[Regular meetings.]* Regular meetings of the county board shall convene at 9:30 a.m. unless otherwise designated. In order to provide an advanced schedule of regular meeting dates, a regular meeting of the county board shall be scheduled generally on a Thursday within each month, except when otherwise designated by the county board meeting schedule, these rules or by action of the county board. August and November will not have a regularly scheduled meeting of the county board, unless otherwise called for by the county board. The county board chairperson shall provide to the county board, following the first meeting of the board after the election of supervisors, a schedule of county board meetings for the remainder of the term, including the date of the annual meeting provided in § 1.01(a). The first (organizational) meeting of the term shall be held on the third Monday in April of even-numbered years, which is the first day supervisors take office following their election per § 59.10(2)(b), Wis. Stats. The digest (agenda) for each county board meeting shall be established by the county board chairperson or, in his or her absence, by the first vice chairperson or the second vice chairperson.

83 (c) *Special meetings.* A special meeting shall be held only when requested by a
84 majority of the members of the county board, such request to be in writing,
85 addressed and delivered to the county clerk, who shall note the time of such
86 delivery to him/her on such request. Such request shall specify the time and
87 place of such meeting, which shall not be less than forty-eight (48) hours after
88 the delivery of such notice to the county clerk. The request shall identify the
89 purpose of such meeting and shall include reference to such other items as may
90 be required by law, ordinance or board action. Upon receiving such request, the
91 county clerk shall forthwith give notice of the time and place of such meeting by
92 mail to each member of the county board. If the request is delivered to the county
93 clerk less than seventy-two (72) hours before the time of such meeting, the
94 county clerk, in addition to the mailing hereinbefore referred to, shall telephone
95 each supervisor; if any supervisor is not contacted by telephone, the county clerk
96 shall furnish to the sheriff of the county a copy of such notice of time and place of
97 meeting for delivery to unnotified members of the county board. The sheriff shall
98 thereafter furnish to the county clerk an affidavit of delivery of such notice. The
99 inability of the sheriff to deliver such notice to a supervisor shall not be deemed a
100 defect to the notice requirement under this subsection. Any special meeting may
101 be adjourned from time to time by a vote of a majority of all members of the
102 county board.

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104 (d) *Remote meetings.* The county board shall be equipped and may convene and
105 meet to conduct business remotely via telephone conference, video conference or
106 other electronic communication provided that the meeting is live-streamed, televised
107 live or otherwise broadcast live to the public.,subject to the following:

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109 **(1) Virtual-only county board meetings shall be reserved for an**
110 **emergency or other extraordinary circumstance.**
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112 **SECTION 2.** Section 1.13(e) of the Milwaukee County Code of General Ordinances is
113 hereby amended as follows:
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115 (e) *Remote meetings.* Standing committees shall be equipped and may convene and
116 meet to conduct business remotely via telephone conference, video conference or
117 other electronic communication provided that the meeting is live-streamed, televised
118 live or otherwise broadcast live to the public, subject to the following:
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(1) If a committee chairperson chooses to schedule a committee meeting as a hybrid meeting, the chairperson shall attend in-person at the courthouse or at the physical location of the designated meeting. In exigent circumstances, the vice-chairperson of the committee may fulfill this requirement if the chairperson is not able to attend in person.

(2) Virtual-only county board meetings shall be reserved for an emergency or other extraordinary circumstance.

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

SECTION 3. The provisions of this Ordinance shall become effective upon passage and publication.

05/08/23
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