

1 By Supervisors Dimitrijevic, Lipscomb, Romo West, Cullen, Jursik, Borkowski, Bowen,
2 Schmitt, Broderick and Haas
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4 **A RESOLUTION**

5 to reform and define the roles and responsibilities of the Milwaukee County
6 Board of Supervisors as the policy-making body and the administrative duties of the
7 County Executive, as determined locally
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9 WHEREAS, Milwaukee County is the largest populated county in the State of
10 Wisconsin with approximately one in every six Wisconsin residents living in one of
11 nineteen municipalities within its borders; and
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13 WHEREAS, due to its large and diverse population, business and transportation
14 hubs and sports and cultural attractions, Milwaukee County is unlike any of the other 71
15 Wisconsin Counties; and
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17 WHEREAS, Milwaukee County government reflects the diversity of its community
18 and supports the ability of its elected leaders to determine organizational and
19 administrative powers, to the extent granted by State Statute 59.03(1) Administrative
20 Home Rule, which states:
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22 Every county may exercise any organizational or administrative power, subject
23 only to the constitution and to any enactment of the legislature which is of
24 statewide concern and which uniformly affects every county.
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26 ; and
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28 WHEREAS, State Assembly Bill 85 and companion Senate Bill 95, if adopted
29 would, among other things, change the compensation structure of a Milwaukee County
30 Supervisor, remove and transfer authority of the Milwaukee County Board, increase the
31 authority of the Milwaukee County Executive and impose strict limits on the size of the
32 County Board departmental budget in state statute; and
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34 WHEREAS, these bills would only apply to Milwaukee County and not to other
35 counties, even ones that have chosen to use a County Executive form of governance
36 model; and
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38 WHEREAS, in February 2013 the Milwaukee County Board of Supervisors
39 unveiled *OUR Milwaukee County*, or "Outreach for Unified Reform" (OUR), a
40 countywide government reform initiative based on dialogue and listening sessions with
41 Milwaukee County residents about changes proposed in the State legislation and ideas
42 for reforms generated locally and approved by County elected officials; and

43 WHEREAS, this package of reforms, developed at the local level, reflects
44 suggestions and viewpoints from Milwaukee County residents, local and state
45 government elected officials and others interested in meaningful reform; and
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47 **Local Control**

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49 BE IT RESOLVED, that the County Board of Supervisors does hereby support
50 State Statute 59.03(1) Administrative Home Rule, which states:
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52 Every county may exercise any organizational or administrative power,
53 subject only to the constitution and to any enactment of the legislature which is of
54 statewide concern and which uniformly affects every county.
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56 ; and
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58 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
59 hereby opposes AB 85 and SB 95 that preempts local control and imposes a public
60 referendum on only a portion of the legislation while arbitrarily eliminating resources and
61 oversight functions of the legislative body and conferring additional powers to the
62 County Executive that are not given to any other Wisconsin County; and
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64 **County Board Composition, Compensation and Terms**

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66 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
67 hereby pledges to reduce County Board Supervisor salaries by 20 percent, from
68 approximately \$50,679 to \$40,543, and the Chairperson's from \$71,412 to \$57,130,
69 beginning with the term commencing April 18, 2016; and
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71 BE IT FURTHER RESOLVED, that any increases in the salary of all county
72 supervisors shall require a two-thirds vote of the board and shall be limited to the rate of
73 inflation, as determined by the U.S. Department of Labor, Consumer Price Index –
74 Urban, Milwaukee – Racine area, with the understanding that salaries, besides the
75 County Board chairperson, shall not exceed the salary of state legislators; and
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77 BE IT FURTHER RESOLVED, that beginning with the 2016 term of office,
78 Supervisors shall no longer receive pension service credit unless they voluntarily
79 choose to pay the full normal cost of the pension benefit as determined by the actuary
80 and reported by the Comptroller and as allowable under state and federal law; and
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82 BE IT FURTHER RESOLVED, that the County Board of Supervisors shall
83 continue to be able to participate in the health insurance plan that is offered to County
84 employees, but shall always pay a portion of the premium (i.e. monthly premiums, co-
85 pays, co-insurance, deductibles, etc.) that is no less than the portion paid by state
86 legislators, as determined by the Comptroller; and

87 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
88 hereby directs Intergovernmental Relations staff to seek State legislation to reduce the
89 term of office for Supervisors from four to two years beginning with the 2016 term; and

90 BE IT FURTHER RESOLVED, that File No. 13-273, adopted March 21, 2013,
91 which requested that the State of Wisconsin grant Milwaukee County the ability to
92 downsize the number of supervisors between the decennial redistricting process by
93 resolution or public petition, shall be considered by the County Board for the term
94 beginning in 2016 if so granted; and

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96 **County Board Operating Budget/Staff/Procedures**

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98 BE IT FURTHER RESOLVED, that the County Board of Supervisors, through the
99 chair of the department, will submit a 2014 budget request that includes a 50 percent
100 overall budget reduction that includes a minimum reduction of approximately 50 percent
101 of authorized and funded staff positions with other expense reductions to follow
102 beginning with the 2016 term when the components of this resolution are fully enacted;
103 and

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105 BE IT FURTHER RESOLVED, that all allowable property tax savings generated
106 through a reduction in the County Board operating budget shall be dedicated to county
107 services; and

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109 BE IT FURTHER RESOLVED, that any future increases in appropriations within
110 the County Board budget shall require a two-thirds vote of the County Board on Org.
111 Unit – 1000 County Board unless a similar change is made which affects county
112 departments, on a countywide basis in all other departments, as determined by the
113 Comptroller; and

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115 BE IT FURTHER RESOLVED, that the County Board research staff positions,
116 per past recommendations made in a 2003 report by the Greater Milwaukee Committee
117 and a 2012 report by the County Comptroller, be transferred into the County's civil
118 service system upon the approval of the Civil Service Commission, to strengthen the
119 independence of staff providing fiscal and policy guidance to the County Board; and

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121 BE IT FURTHER RESOLVED, that the County Board Chairperson shall refrain
122 from referring files (reports, resolutions, ordinances, appointments, etc.) to more than
123 one standing committee within one cycle unless required elsewhere in state law or
124 county ordinances to eliminate the need for county staff and the public to attend multiple
125 committee hearings; and

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127 BE IT FURTHER RESOLVED, that the Office of the Comptroller and Department
128 of Administrative Services – Fiscal Affairs shall develop for 2014 a budgeting procedure
129 for legacy costs where the expense is abated out of departmental budgets and

130 presented centrally within Org. Unit 1950 – Employee Fringe Benefits, to reflect that
131 these costs are an obligation of the county and not directly related to the actual cost to
132 operate a particular department, program or service; and
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134 **Roles and Responsibilities of the County Board and County Executive**

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136 BE IT FURTHER RESOLVED, that the County Board of Supervisors hereby
137 clarifies the roles of the executive and legislative branches of Milwaukee County
138 government by affirming the County Board as the policy-making body of county
139 government and the County Executive as the administrator and manager of day-to-day
140 operations of county government, responsible for carrying out policies adopted by the
141 County Board through his/her management and supervision of the day-to-day
142 operations of Milwaukee County; and
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144 BE IT FURTHER RESOLVED, that the department heads are managed and
145 supervised by the County Executive and the County Board of Supervisors, as the
146 policy-making body, does not manage or supervise department heads; and
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148 BE IT FURTHER RESOLVED, that the County Board of Supervisors shall refrain
149 from interfering in the day-to-day operations of Milwaukee County as both the County
150 Board of Supervisors and the County Executive shall strive to best serve the public with
151 the understanding that they may share differing viewpoints; and
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153 BE IT FURTHER RESOLVED, that while the County Executive has day-to-day
154 control over department heads and staff, the County Board, to fulfill its policy-making
155 and oversight responsibilities, has the right to make reasonable requests for information
156 and/or attendance at County Board meetings to communicate as to the effectiveness
157 and implementation of policy objectives set by the County Board; and
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159 BE IT FURTHER RESOLVED, that County Board members and staff may seek
160 information from departmental staff to address constituent concerns or policy-making
161 relating to the execution of their duties, but may not in any manner provide
162 administrative direction to departments under the authority of the County Executive; and
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164 BE IT FURTHER RESOLVED, that by resolution the County Executive, subject
165 to approval of the County Board, or the County Board, subject to the approval of the
166 County Executive, shall have the authority to establish, eliminate or modify departments
167 and subunits thereof as part of the annual budget process; and
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169 **Training**

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171 BE IT FURTHER RESOLVED, that the County Executive, County Board of
172 Supervisors and their respective staffs shall participate in training that focuses on roles
173 and responsibilities and shall be provided by an organization that has the expertise in

174 the area and which can include department or other elected officials, with the initial
175 training completed by September 1, 2013; and

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177 BE IT FURTHER RESOLVED, in addition, but not limited to, training will be provided
178 on:

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- 180 • county governance
- 181 • budgeting
- 182 • public records and open meetings laws
- 183 • parliamentary procedures
- 184 • rules of decorum
- 185 • conflict management
- 186 • cooperative decision making
- 187 • ethics

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191 BE IT FURTHER RESOLVED, at least twelve (12) hours of training is mandatory
192 for County Board Supervisors and County Board staff every two years within six (6)
193 months after the election; and

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195 BE IT FURTHER RESOLVED, the training is a condition of employment for
196 County Board Supervisors and they shall participate in the training or shall lose his/her
197 salary for the period of noncompliance; and

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199 BE IT FURTHER RESOLVED, the County Clerk is responsible for recording the
200 attendance of all required participants which shall be provided as an informational report
201 to the County Board at the conclusion of the training period; and

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203 BE IT FURTHER RESOLVED, that in addition to the training outlined above,
204 each department shall provide an informational session to the County Board of
205 Supervisors within three months or as soon as reasonable after the seating of a new
206 board on their respective departments; these can be scheduled in large groups by
207 functional area for ease of scheduling and administration; and

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209 BE IT FURTHER RESOLVED, that the training program shall be evaluated by
210 the Office of the Comptroller to ensure the efficacy of the program; and

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County Clerk Roles and Responsibilities

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214 BE IT FURTHER RESOLVED, that beginning in 2014, the County Clerk, per
215 State Statute 59.23(2), shall assume control of all Committee Clerk and Committee

216 support staff functions and all related expenditures as it relates to recording and
217 maintaining County Board proceedings and meetings; and

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Intergovernmental Relations

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221 BE IT FURTHER RESOLVED, that Intergovernmental Relations shall be
222 established as a separate, independent department with all related expenditures
223 beginning in 2014 that will serve both the County Executive and County Board and only
224 advance policies that have been approved by the county; and

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226 BE IT FURTHER RESOLVED, that Intergovernmental Relations staff shall be
227 reclassified as part of the 2014 Adopted Budget to have two co-equal positions, one
228 position appointed by the County Executive and one by the County Board Chairperson,
229 to fulfill its duties and to speak with one voice to other units of government based on the
230 adopted policies approved by the county; and

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232 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
233 hereby directs Intergovernmental Relations staff to seek state legislation to remove
234 obsolete statutory provisions (as set forth in 2013 AB 85) relating to:

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- civil service procedure
- building inspector
- soil conservation
- mosquito control
- professional baseball team
- licensing of cats
- design/build for a sheriff's training facility

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243 ; and

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245 BE IT FURTHER RESOLVED, that the County Board of Supervisors does not
246 oppose a change to state statutes to provide the County Executive the authority in state
247 statutes to hire and supervise outside counsel to assist with state-mandated child
248 enforcement activities; and

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Community Business Development Partners

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251 BE IT FURTHER RESOLVED, that County Board-Community Business
252 Development Partners (Org. Unit 1040) shall be transferred to the Office of the
253 Comptroller effective July 1, 2013 as a separate division within the independent office to
254 administer the county's disadvantaged business enterprise (DBE) program; and

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Comptroller

BE IT FURTHER RESOLVED, that the newly created Office of the Comptroller, who serves as an independent officer overseeing all fiscal matters that provides critical analysis, guidance and advice to both the County Executive and County Board, shall identify staffing requirements and resources to policy-makers that enable the Comptroller to be fully engaged, especially during the preparation and adoption of the annual budget; and

Corporation Counsel

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors recognizes and reaffirms State Statute 59.42(2) that states in part:

The corporation counsel shall be appointed by the county executive, with the concurrence of a majority of the board and shall not serve at the pleasure of the county executive. The corporation counsel may be dismissed at any time by the county executive with the concurrence of a majority of the members-elect of the board. The corporation counsel may also be dismissed at any time by a majority vote of the board. If the county executive vetoes an action by the board to dismiss the corporation counsel, the board may override the veto by a two-thirds vote of the members-elect of the board.

; and

Contracting

BE IT FURTHER RESOLVED, that the County Board of Supervisors hereby increases the threshold of professional service contracts requiring County Board approval from \$50,000 to \$100,000; and

BE IT FURTHER RESOLVED, that the Committee on Finance, Personnel and Audit shall have jurisdiction of all professional service contracts unless otherwise prescribed by state or federal law; and

BE IT FURTHER RESOLVED, that if the Committee on Finance, Personnel and Audit has not taken an action on a professional service contract within forty-five (45) days after it was referred to them by the chairperson, then the Comptroller is authorized to act on the contract without County Board approval provided the requestor wishes to do so; and

BE IT FURTHER RESOLVED, that the Comptroller is hereby requested to examine all county contract procedures to determine if additional streamlining and efficiencies could be achieved for contract approvals, while ensuring that proper internal

301 controls and policy-maker oversight are maintained and present any recommendations
302 to the County Board prior to October 1, 2013 so that any potential changes could be
303 considered as part of the 2014 Adopted Budget; and
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305 BE IT FURTHER RESOLVED, that in addition to the above, the Comptroller is
306 hereby requested to review the efficiency of the County Executive signing or
307 countersigning contracts prior to it being effective; and
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309 BE IT FURTHER RESOLVED, that the County Board, as the policy-making body,
310 maintains policy parameters for contracting and procurement to guide the county in
311 contract negotiations; and
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313 Labor Relations

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315 BE IT FURTHER RESOLVED, that the County Board of Supervisors, upon
316 approval of the related general ordinances, hereby transfers to the County Executive
317 the charge of negotiating all matters arising under ch. 111, Wis. Stats, Employment
318 Relations that are currently vested with the Committee on Finance, Personnel and
319 Audit; and
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321 BE IT FURTHER RESOLVED, that the County Board, who must approve all
322 collective bargaining agreements, shall be responsible for policy oversight and
323 determining the parameters for the county's labor negotiations through the Committee
324 on Finance, Personnel and Audit; and
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326 Governance, Operational and Efficiency Audit

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328 BE IT FURTHER RESOLVED, that File No. 13-155, adopted by the County
329 Board on February 7, 2013, which seeks an independent audit of the county to identify
330 additional efficiencies in areas related to governance and operations of the county, shall
331 have a scope that includes, but is not limited to:
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- 333 • Identification of appropriate staffing levels
- 334 • Identification of the appropriate roles and responsibilities of the branches of
335 government, including county departments
- 336 • Identification of organizational best practices
- 337 • Additional efficiency measures and recommendations for all branches of
338 government

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340 ; and
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342 BE IT FURTHER RESOLVED, that the audit shall be completed prior to County
343 Board deliberation of the 2014 County Budget and any additional budget and staff
344 reduction recommendations shall be reflected in the annual budget; and
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346 BE IT FURTHER RESOLVED, that the County Board commits to working on any
347 long-term recommendations in the audit related to the Office of the County Executive
348 and/or county departments to the extent practicable under state and federal law and
349 governance best practices following a process that allows for public input and, request a
350 mediator to assist, if necessary, in the implementation of any long-term
351 recommendations; and
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353 BE IT FURTHER RESOLVED, that the County Board shall commit to the
354 adoption of other non-budgetary audit recommendations, to the extent practicable under
355 state and federal law and governance best practices; and
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357 BE IT FURTHER RESOLVED, that upon adoption of this resolution, County
358 Board staff working in conjunction with appropriate departmental staff shall develop
359 recommended changes to the Milwaukee County General Ordinances to effectuate the
360 policy directions contained in this resolution requiring ordinance revisions and submit
361 them to the County Board of Supervisors as soon as practicable for approval.