

CITY OF MADISON, WISCONSIN

A SUBSTITUTE ORDINANCE _____

PRESENTED September 21, 2010
REFERRED Ethics Board

Amending Sec. 3.35(6)(h) and creating Secs. 3.35(6)(i) and (j) of the Madison General Ordinances to establish conditions and procedures for a third party to pay for incumbent's permitted expenses.

LEGISTAR #19916

Drafted by: Steven Brist

Date: February 10, 2011

SPONSOR: Alder Verveer

DRAFTER'S ANALYSIS: The Ethics Code allows third parties to pay for expenses incurred by an incumbent, but sets out no procedure for such payment, and only requires that the expenses be primarily for the benefit of the City and not the individual benefit of the incumbent. This ordinance establishes such procedures and requires that the expenses be allowable under existing City policies. Such expenses shall be submitted to the Comptroller along with the contact person for the third party who agreed to pay the expenses. After the Comptroller determines which expenses are reimbursable, the Comptroller shall reimburse the incumbent and then obtain payment from the third party for reimbursement of the allowable costs. An incumbent may not accept prepayment waiver or a reduction in expenses unless the incumbent obtains prior approval from the Comptroller.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (h) of Subsection (6) entitled "Honoraria, Fees and Expenses" of Section 3.35 entitled "Code of Ethics" of the Madison General Ordinances is amended to read as follows:

"(h) Whenever an incumbent receives anything of value permitted by this Subsection (6) from or has any fee or expense waived, prepaid or reduced by a person or entity other than the City in connection with her or his official duties, she or he shall, within 10 days of the occurrence file a report with the City Clerk on forms provided by the Clerk."

2. Subdivision (i) of Subsection (6) entitled "Honoraria, Fees and Expenses" of Section 3.35 entitled "Code of Ethics" of the Madison General Ordinances is created to read as follows:

"(i) If a third party, other than the City, is authorized to pay for any expenses, including food, travel or lodging, incurred by any incumbent under this subsection, such reimbursement shall be made through the City Comptroller. The incumbent shall submit the expenses for which reimbursement is sought to the Comptroller, together with the contact person for the third party who agreed to pay those expenses. The Comptroller shall determine which expenses are reimbursable pursuant to City policy, and shall reimburse the incumbent for those expenses, and then obtain payment from the third party to the City for those expenses."

3. Subdivision (j) of Subsection (6) entitled "Honoraria, Fees and Expenses" of Section 3.35 entitled "Code of Ethics" of the Madison General Ordinances is created to read as follows:

"(j) No incumbent shall accept prepayment or waiver or reduction of fees or expenses, including food, travel or lodging, without prior approval of the City Comptroller."

Approved as to form: