

**Common Council Meeting 8/1/17**  
**Agenda Item No. 79**

**Amendment to Legislative File 47423** - SUBSTITUTE Creating Sections 5.15 and 6.18 of the Madison General Ordinances to authorize the City to reimburse the legal fees of persons defending or prosecuting a claim before the Police and Fire Commission and repealing RES-16-00697, the City Police and Fire Chiefs Reimbursement Policy.

**Sponsored by: Ald. David Ahrens, D. 15**

**Amendment – Delete language in MGO 5.15(2)(b)** If the City employee or official is successful as defined herein, but the PFC found some violation of a legal standard (such as a code of conduct) by the City employee or official, the Council may make a reasonable adjustment in the reimbursement for such findings. Similarly, if the employee or official is successful on some charges but not others, the Council may make a reasonable adjustment in the fees and costs to be reimbursed.

**MGO 5.15(2)(b):**

(2) Actions Before the Police and Fire Commission.

(a) Agreements with Unions or Employee Associations. If the City and a union or employee association have an agreement governing the reimbursement of legal fees and costs for specified employees or officials, that agreement governs and this ordinance does not apply.

(b) Other City Employees or Officials. Any City employee or official not covered by sub. (a) who successfully defends a complaint before the Police and Fire Commission (PFC) will have their reasonable legal costs reimbursed by the City. A City employee or official is successful if he or she is exonerated, if the charges are dismissed (for any reason), or if the complaint is otherwise withdrawn or discontinued. ~~If the City employee or official is successful as defined herein, but the PFC found some violation of a legal standard (such as a code of conduct) by the City employee or official, the Council may make a reasonable adjustment in the reimbursement for such findings. Similarly, if the employee or official is successful on some charges but not others, the Council may make a reasonable adjustment in the fees and costs to be reimbursed.~~