



Legislation Text

File #: 71357, Version: 2

**Fiscal Note**

The proposed ordinance relates to the appointment of the Chief of Staff and the management and supervision of the Council Office and Chief of Staff. Funding for the Chief of Staff is included in the Common Council Office operating budget. No appropriation is required.

**Title**

**SUBSTITUTE** - Creating Section 3.035 related to the Common Council Office and Chief of Staff.

**Body**

DRAFTER'S ANALYSIS: This ordinance transfers language from MGO 33.13 regarding the Common Council Office and Chief of Staff, and modifies existing ordinances regarding the appointment of the Chief of Staff and the management and supervision of the Council Office and Chief of Staff. A separate ordinance retains language related to the Common Council Executive Committee in MGO 33.13, consistent with ordinances regarding other City boards, commissions and committees.

The substitute revises language related to the hiring and supervision of the Common Council Chief of Staff.

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

1. Section 3.035 entitled "Office of the Common Council and Common Council Chief of Staff" of the Madison General Ordinances is created as follows:

**"3.035 Office of the Common Council and Common Council Chief of Staff**

- (1) Office of the Common Council. There is hereby created the Office of the Common Council, which assists alders as they represent the residents of Madison by promoting the safety, health, and general wellbeing of the community and incorporating the City's core values into their work.
- (2) Common Council Chief of Staff. The Office of the Common Council shall be managed and directed by a full-time Common Council Chief of Staff. The Chief of Staff is responsible for ensuring that the duties of the Office of the Common Council are fulfilled in consultation and collaboration with the Common Council Executive Committee. Subject to available funding, the Chief of Staff shall be responsible for hiring, supervising and managing Council Office staff to effectively perform the duties of the Office of the Common Council.
  - (a) Pursuant to MGO 3.53(1)(i), the Chief of Staff is exempt from the civil service system. Instead, the Chief of Staff will serve for a term of five (5) years under a written employment agreement, said agreement to be renewed at the pleasure of the Common Council. This position is also exempt from the provisions of MGO 3.54(9), governing compensation of managerial employees. Annual cost of living increases will be equivalent to increases for members of Compensation Group 18.
  - (b) For purposes of benefits only, the Chief of Staff shall have the same benefits as non-represented professional employees in Compensation Group 18 as may be provided and/or modified by the Madison General Ordinances, Resolution of the Common Council, Administrative Procedure Memoranda or other official City action.
  - (c) ~~The Chief of Staff shall be appointed by the Common Council as provided in sub. (3) below and shall report to the Common Council Executive Committee. The Chief of Staff is subject to the~~

~~authority of the Common Council Executive Committee to impose discipline or discharge as provided in section (9) of the City of Madison Personnel Rules.~~

- (3) Recruitment, Appointment, and Confirmation of the Chief of Staff. The Chief of Staff shall be appointed pursuant to the following process.
- (a) The Common Council President, with the advice and support of the Human Resources Department, shall be responsible to manage the recruitment and hiring process.
  - (b) The Chief of Staff position description shall be reviewed and approved by the Common Council Executive Committee prior to posting.
  - (c) The Common Council Executive Committee shall either act as the hiring committee or designate a separate hiring committee consisting of at least one Alder. Hiring committee deliberations and candidate interviews shall be conducted in closed session.
  - (d) The Human Resources Department shall screen applications of candidates and present candidates meeting minimum qualifications to the hiring committee.
  - (e) The hiring committee shall review qualifications of candidates meeting minimum qualifications and select candidates to interview.
  - (f) The hiring committee shall interview selected candidates and rank all candidates ~~the committee would recommend for hiring~~ in the order of preference, indicating which of the ranked candidates they recommend for hiring. ~~excluding any candidates the committee does not recommend for hiring.~~
  - (g) The Common Council shall review the ranked candidate list and deliberate in closed session, determining a ranked order of candidates, if any, that the Council recommends for hiring. A majority vote of all members shall be required for each candidate included on the ranked list.
  - (h) Upon completion of a satisfactory background check, the Human Resources Department shall offer an employment contract to the top-ranked candidate, contingent upon final approval by the Common Council.
  - (i) Upon completion of the terms of an employment contract, the Common Council shall consider, in open session, a resolution to approve the appointment by a majority vote of all members.
  - (j) If the preferred candidate withdraws, is disqualified due to a background check, does not agree to terms of an employment agreement, or if the appointment is not approved by the Common Council, the steps in Sec. 3.305(3)(h) and (i), shall be repeated with regard to the next ranked candidates until the Common Council completes an appointment.
- (4) Supervision of the Chief of Staff. ~~The Common Council Executive Committee shall be responsible for the general oversight and performance management of the Chief of Staff and shall be responsible for recommending any discipline or discharge to the Common Council. The Chief of Staff is subject to the authority of the Common Council to impose formal discipline or discharge as provided in section (9) of the City of Madison Personnel Rules. The Chief of Staff shall report to the Common Council Executive Committee. While it is intended that the Chief of Staff have significant independence and discretion in conducting the day-to-day activities of the Council Office, they shall act as directed by the Common Council Executive Committee.~~
- (5) Independence of the Chief of Staff and Council Office Staff. Supervision and direction of the Council Chief of Staff and Council Office Staff are independent of the executive branch of the City.”