

OFFICE OF CITY ATTORNEY
210 Martin Luther King, Jr. Blvd., Room 401
266-4511

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www.cityofmadison.com/attorney

Mission

The City Attorney will provide professional legal representation to the City of Madison as an entity, including ordinance enforcement, legislative counsel services and general counsel services.

Goals and Objectives

As the City's lawyers, the Office of the City Attorney engages in three major activities.

- First, we prosecute violations of the City's laws, enforcing ordinances adopted by the Common Council,
- Second, we provide legislative counsel, drafting and revising the City's code of ordinances and advising the Common Council and City Boards, Committees and Commissions on the meaning of legislative enactments.
- Third, we provide general legal counsel and representation to the City, drafting documents, advising City officials and managers on compliance with the law, representing the City in court, negotiating on the City's behalf, and otherwise using legal procedures to support and defend the lawful decisions of City officials and agencies.

As attorneys for the City of Madison, the Office of the City Attorney does not provide legal advice to the general public.

The City Attorney is a statutorily designated officer of the City of Madison whose responsibilities and duties are set forth in Section 62.09(12) of the Wisconsin Statutes and Section 3.07(1) of the Madison General Ordinances:

62.09(12) ATTORNEY. (a) The Attorney shall conduct all the law business in which the City is interested.

(c) The Attorney shall when requested by city officers give written legal opinions, which shall be filed with the clerk.

(d) The Attorney shall draft ordinances, bonds and other instruments as may be required by city officers.

(e) The Attorney shall examine the tax and assessment rolls and other tax proceedings, and advise the proper city officers in regard thereto.

(f) The Attorney may appoint an assistant, who shall have power to perform the Attorney's duties and for whose acts he shall be responsible to the City. Such assistant shall receive no compensation from the City, unless previously provided by ordinance.

(g) The Council may employ and compensate special counsel to assist in or take charge of any matter in which the City is interested.

3.07 CITY ATTORNEY

(1) The City Attorney is a statutory office created pursuant to Section 62.09(12) of the Wisconsin Statutes and shall be responsible for the duties contained therein and for the conduct of all legal services of the City and shall serve as legal advisor to the Council, the Mayor and all

departments and officers of the City. He shall be in charge of the prosecution of all cases arising out of the violation of the provisions of the City ordinances. He shall represent the City in matters in which the municipality is interested before any court or tribunal and shall perform such other duties as may be required by the Mayor or Common Council. It shall be the duty of the City Attorney to call to the attention of the Mayor and Common Council all matters of law affecting the City.

The City Attorney shall be the official reviser of ordinances. No ordinance shall be enacted by the Common Council unless such ordinance is first referred to the City Attorney for a study respecting form and legality. In the revisions of the official codification of the Madison General Ordinances the City Attorney is empowered to renumber sections and subdivisions if in her/his opinion this is necessary, and to make editorial changes which are minor and not substantive in nature.

The position of City Attorney shall be filled according to Sec. 3.54(6) (f), Madison General Ordinances.

In addition to the prosecution of ordinance violators, the City Attorney is responsible for providing all legal services for the City, including serving as legal advisor to the Common Council, Mayor, departments and offices. The City Attorney also represents the Community Development Authority, Water Utility, Parking Division, and Metro Transit.

The more common services requested of the Attorney's Office are informal advice and counsel, the drafting of ordinances, resolutions, and contracts. City Attorney staff also defend city agency decisions when they are appealed and oversee handling of insured litigation by outside counsel.

Requests for ordinances, resolutions, and legal opinions and advice should be made on forms available in the Council Office. The forms are intended to assist requesters in clarifying their intent, and to assist City Attorney staff in obtaining necessary factual background.

Please feel free to consult the City Attorney and staff when you have legal questions. Our service is limited to representing the City, its officers, agencies and employees in their official activities. We are not authorized to provide private legal advice to constituents or other citizens.

Legal Staff

Michael P. May, City Attorney

266-4511

Areas of Law: Office Administration, Government Operations, Council & Committee Procedures, Constitutional Law / First Amendment, Litigation

Agencies Primarily Served: Mayor, City Clerk, Common Council, Finance

Patricia A. Lauten, Deputy City Attorney

Areas of Law: Office Administration, Personnel & Employment, Labor Agreements, Arbitration, Discrimination / Harassment, Government Operations, Worker's Comp, Tort / Risk Management / Outside Counsel

Agencies Primarily Served: Human Resources, Finance (WMMIC, Worker's Comp, Risk Management), Personnel Board

Roger Allen, Assistant City Attorney

Areas of Law: ALRC (Advisor) Liquor Regulations, Public Records, Open Meetings, Madison Arts Commission, Information Technology (including City Channel), CDBG/Community Services (Including Child Care)

Agencies Primarily Served: City Clerk (ALRC), Madison Arts Commission, CDBG/Community Services, Information Technology

Jennifer Zilavy, Assistant City Attorney

Areas of Law: Community Prosecution, Major Nuisance Violations, Special Prosecutions (ALRC), Halloween, Neighborhood Resource Teams Liaison

Agencies Primarily Served: Police Department, Building Inspection, Neighborhood Resource Teams

Lara Mainella, Assistant City Attorney

Areas of Law: Contracts, Intergovernmental Agreements, Street Use / Parades, Special Events, Street Vending, Signs, First Amendment, Municipal Administrative Appeals / Certiorari

Agencies Primarily Served: Finance (Purchasing); Building Inspection (signs and vending), Contracts (except public works and employee/labor), OBR (Vending), Parks (Street Use), Administrative Review Board, Equity Core Team

Steve Brist, Assistant City Attorney

Areas of Law: Clerk's Office (Lobbying, Elections, Ethics Code), Library, Railroads, Senior Center, Monona Terrace, Special Prosecution (PFC), I.P. (Trademark, Copyright), Housing Policy, Ch. 32 Landlord-Tenant, Ethics Code

Agencies Primarily Served: City Clerk, Traffic Engineering (Railroad), Library, Senior Center, Monona Terrace, CDA, Ethics Board

Marci Paulsen (80%), Assistant City Attorney

Areas of Law: Police and Fire (Policy, Recruitment, Commissioned Personnel, Discipline, PFC Prosecution), Emergency Government, Hazardous Materials, Health / Smoking Law, HIPAA, Animal Control

Agencies Primarily Served: Police, Fire, Public Health

Jaime Staffaroni, Assistant City Attorney

Areas of Law: Tax Litigation, Delinquent Personal Property, Foreclosures, Treasurer, Bankruptcies, Unemployment Compensation

Agencies Primarily Served: Assessor, Treasurer, Board of Review

Doran Viste, Assistant City Attorney

Areas of Law: Public Works, Intergovernmental Agreements, Cooperative Plans and Boundary Issues, Contracts / Public Works, Environmental Regulations, Condemnation, Litigation, Real Estate, Special Assessment / Special Charges and Impact Fees, Special Prosecutions

Agencies Primarily Served: Engineering / Public Works, Stormwater, Water / Wastewater Utilities, Planning (Intergovernmental), Traffic Engineering, Parks, Real Estate, Forestry

John Strange, Assistant City Attorney

Areas of Law: Planning, Zoning, Boundary & Annexation, Privilege in Streets / Right of Way, Subdivision Regulations, Transportation

Agencies Primarily Served: Planning, Zoning, Real Estate, CDA, Metro Transit, MPO

Kevin Ramakrishna, Assistant City Attorney

Areas of Law: Bonds, Tax Incremental Financing, Economic Development, Surety & Letters of Credit, Real Estate Development, Public Works Contracts, Parking Utility

Agencies Primarily Served: Finance (TIF Financing / Purchasing / Bonds), CDA (Development), Engineering / Public Works, CEDU (Development), CDBG (Real Estate Only), Real Estate, Parking Utility (Finance), BID

Prosecution/Ordinance Enforcement Team

Adriana Peguero, Assistant City Attorney (Lead Prosecutor)

Areas of Law: Traffic, General Ordinance Violations, Taxis, Civil Rights (Equal Opportunities Commission, Affirmative Action (including Contract Compliance), Commission on People with Disabilities), Second-hand Dealers / Pawn Shops

Agencies Primarily Served: Police, Department of Civil Rights (Equal Opportunities Commission, Affirmative Action, Commission on People with Disabilities), Traffic Engineering (Taxis), Equity Core Team, SBE Appeals

Kate Smith, Assistant City Attorney

Areas of Law: Traffic, General Ordinance Violations, Fire Code, Health Code, VOC Prosecution, SBE Appeals

Agencies Primarily Served: Police, Fire, Health, SBE Appeals

Amber McReynolds, Assistant City Attorney

Areas of Law: Traffic, General Ordinance Violations, Parking, Bikes / Mopeds

Agencies Primarily Served: Police

Brittany Wilson, Assistant City Attorney

Areas of Law: Traffic, General Ordinance Violations

Agencies Primarily Served: Police, Parking Enforcement

Be'Jan Edmonds, Assistant City Attorney

Areas of Law: Traffic, General Ordinance Violations

Agencies Primarily Served: Police, Parking Enforcement

Paralegal Staff

Pat Gehler, Litigation Assistant

Long Form Complaints, Discovery Requests, Contract Review, Document / Exhibit Preparation, General Legal Research, Bankruptcy, Worker's Comp

Support Staff

Diane Althaus, Ordinance Revision Specialist

Sue Mautz, Legal Secretary 3

Jean Phelps, Legal Secretary 2

Patti Mendez-Smith, Legal Secretary 2

Derek Schuld, Legal Administrative Assistant

Rebecca Braselton, Legal Office Assistant

Marie Berman, Receptionist

Personnel and Employment Practice Group

This team meets as necessary to coordinate legal advice on grievances, discrimination, affirmative action, Americans with Disabilities Act (ADA), employee discipline issues and general employment law, e.g., Family Medical Leave Act (FMLA), Fair Labor Standards Act (FLSA), etc.

- Patricia Lauten
- Roger Allen
- Michael P. May

In-House Training Group

This team meets as necessary to coordinate in-house CLE training for attorneys.

- Roger Allen
- Steve Brist
- Michael P. May

Contract Group

This group meets quarterly to review contracting practices, templates and issues. It is led by ACA Lara Mainella and may include other attorneys. It also includes representatives of the following agencies:

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| ▪ Affirmative Action | ▪ Finance |
| ▪ Engineering | ▪ Metro |
| ▪ Parks | ▪ Community Services |
| ▪ Information Technology | ▪ Risk Manager |
| ▪ Water Utility | ▪ Purchasing |