

CHARTER ORDINANCE NO.: _____

AN SECOND AMENDED CHARTER ORDINANCE to create Section 20 of Appendix A of the Code of Ordinances of the City of La Crosse creating the position, duties and responsibilities of the Office of the City Administrator and removing duties from the Office of the Mayor.

The COMMON COUNCIL of the City of La Crosse do ordain as follows:

Sec. 20. – Office of the City Administrator

- (a) OFFICE OF THE CITY ADMINISTRATOR. In order to provide the City of La Crosse with a more efficient, effective and responsible government under a system of a full-time Mayor and a part-time Common Council at a time when City government is becoming increasingly complex, there is hereby created the Office of City Administrator for the City of La Crosse.
- (b) APPOINTMENT, TERM OF OFFICE AND REMOVAL. The Administrator shall be appointed on the basis of merit with due regard to training, experience, administrative ability and general fitness for the office, by a majority vote of those present and voting of the Common Council. The Administrator shall serve under a contract of three to five years as determined by the Council, with option to renew. The Administrator may be removed at any time, with or without cause, by an affirmative vote of three-fourths (3/4) of all the members of the Council. Removal shall be pursuant to the terms of the employment contract.
- (c) EVALUATION. The Administrator shall be evaluated by the Common Council and Mayor using performance metrics established jointly by the Director of Human Resources, Council, and Mayor. The Council may establish other employment terms and conditions in the employment contract consistent with the provisions of this ordinance or the Municipal Code of the City of La Crosse.
- (d) RESIDENCY. The Administrator shall reside within 15 miles of the judicial boundaries of the City of La Crosse within three (3) months following the date of appointment.
- (e) QUALIFICATIONS. The Administrator shall possess a ~~bachelor's~~ master's degree from an accredited university and a minimum of five (5) years of progressively responsible municipal or county government experience in a senior leadership role. A master's degree in public administration, public policy, public finance, business administration, or a closely related field is ~~preferred~~ required. The Common Council may establish additional qualifications consistent with professional standards for municipal management.
- (f) FUNCTIONS AND DUTIES OF THE ADMINISTRATOR. The Administrator, subject to the limitations defined in resolutions and ordinances of the City of La Crosse and Wisconsin State Statutes, shall be the chief administrative officer of the City, responsible to the Common Council for proper administration of the business affairs of the City.

The Administrator shall have the following powers and duties:

1. Supervise all city department heads, excluding elected officials, the Police Chief, Fire Chief and Library Director. The Administrator shall collaborate with the Police Chief, Fire Chief and Library Director on matters of city-wide coordination and planning.
2. Manage the recruitment and selection process for department head positions, recommend candidates to the appropriate appointing authority as specified in applicable charter ordinances, and supervise, evaluate, and

discipline department heads consistent with the statutes of the State of Wisconsin, City charter ordinances, and City policies. Recommend removal of department heads to the appropriate authority.

~~Hire, evaluate, discipline and remove department heads consistent with the statutes of the State of Wisconsin and City policies.~~

3. Prepare and submit the annual budgets to the Common Council for adoption.
4. Execute the adopted budgets and ensure fiscal responsibility.
5. Implement ordinance, resolutions and policies adopted by the Mayor and Common Council.
6. Serve as the City's Public Information Officer or designate a department head or City staff person to serve in this capacity.
7. Keep the Common Council and Mayor regularly informed about City operations through oral or written reports.
8. Perform such other duties as may be prescribed by the Common Council in the employment contract.

(g) **ROLE OF THE MAYOR.** The Mayor and City Administrator have complementary roles that must be clearly defined to ensure effective governance. While the Administrator serves as chief administrative officer responsible for day-to-day operations, the Mayor remains the City's chief political executive with the following responsibilities:

1. Serve as the City's chief public representative and spokesperson on matters of policy.
2. Set strategic vision and policy priorities for the City with collaboration from the Common Council.
3. Introduce initiatives and legislation to the Common Council.
4. Serve as lead negotiator with other governments, institutions, and stakeholders.
5. Participate in the City Administrator search process and joint evaluation of the City Administrator.
6. Retain all emergency powers provided by law and charter.

(h) **LINES OF AUTHORITY.**

1. **Single Chain of Command.** To ensure effective administration and clear accountability, neither the Mayor nor any individual Council Member, nor any member thereof, shall direct, supervise, or give orders to City staff or department heads except through the City Administrator.
2. **Access and Communication.** Individual Council Members and the Mayor may communicate with the City Administrator at any time to request information, ask questions, provide input or discuss City matters. The City Administrator shall be responsible for such communications and shall provide requested information in a timely manner. Individual Council Members and the Mayor may contact department heads directly to request information or address constituent service issues. Council Members should inform the Administrator of such contacts in a timely manner. However, only the Council acting as a body may direct the Administrator or department heads on matters of policy, budget, personnel, or operations.
3. **Council Direction.** The Common Council, acting as a body, may direct the City Administrator to take specific actions through duly adopted resolutions or ordinances, through direction provided during Council meetings, or through consensus expressed by the Council. Individual Council Members

may request that the Administrator consider specific actions but may not direct the Administrator or staff to act.

4. Emergency Exception. Nothing in this section shall prevent the Mayor from exercising emergency powers as provided by law and charter.

SECTION II: The provisions of this ordinance shall be deemed severable and it is expressly declared that the Common Council of the City of La Crosse would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid; and if any persons or circumstances is held invalid, the remainder of the ordinance and the application of such provision of other persons or circumstances shall not be affected thereby.

SECTION III: This charter ordinance specifically removes those duties from the Office of Mayor to oversee the day-to-day operations, management and administration of the City of La Crosse that are found under § 62.09 (8) (a), Wis. Stat. Any charter provision or any previously enacted ordinance or charter ordinance inconsistent or in conflict with this ordinance is expressly repealed.

SECTION IV: Pursuant to Wis. Stat § 66.0503, the Common Council finds and determines that the City Administrator is emergency personnel.

SECTION V: EFFECTIVE DATE: This charter ordinance shall take effect sixty (60) days after its passage and publication subject to the provisions of Section 66.0101(5) Wis. Stat.

SECTION VI: TRANSITION AND ACTING ADMINISTRATOR.

- (a) Upon the effective date of this ordinance, the Common Council shall immediately instruct the Director of Human Resources to begin a search for ~~appoint~~ an Acting City Administrator to serve until a permanent City Administrator is hired and assumes office. The Acting City Administrator shall have full authority to exercise all powers and duties specified in Section (f).
- (b) Upon the effective date of this ordinance, the City shall immediately initiate a transparent, professional search for a permanent City Administrator. The search process shall include participation by the Director of Human Resources, Mayor, and one or more Council Members and shall be conducted in accordance with best practices for municipal executive recruitment.

~~SECTION VII: NON RETROACTIVITY. Nothing in this charter ordinance shall alter the term, compensation or benefits of the current Mayor during the remainder of the current term of office ending in April 2020.~~

Shaundel Washington-Spivey, Mayor

Nikki M. Elsen, City Clerk

Passed:
Approved:
Published: