

OFFICE OF CITY ATTORNEY
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Mission, Goals and Objectives

The City Attorney provides legal representation to the City of Madison as an entity. 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.

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 offices 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.

(a) The City Attorney shall be the official revisor 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 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, Contracts, Constitutional Law, Emergency Government, Open Meetings, Public Records, Ethics, Employment, Litigation, Utilities.

Agencies Primarily Served: Mayor, City Clerk, Common Council, Comptroller, Municipal Court (operations), Water Utility, Wastewater Utility.

Bob Olsen, Assistant City Attorney

Areas of Law: Personal Injury, Tort Liability, Insured Litigation, Insurance, Outside Counsel, Real Estate, Risk Management, Foreclosures, Litigation, Condemnation, Delinquent Pers. Property.

Agencies Primarily Served: Comptroller (Risk Management), Water Utility, Real Estate - foreclosures, Assessor, Senior Center.

Carolyn Hogg, Assistant City Attorney

Areas of Law: Personnel/Employment, Transportation, Emergency Government, Contracts, Hazardous Materials, Police & Fire (recruitment, selection, personnel matters), Litigation.

Agencies Primarily Served: Police Department, Fire Department, Metro Transit, City Channel, Stormwater Utility, Traffic.

Anne Zellhoefer, Assistant City Attorney

Areas of Law: Bonds, Tax Incremental Financing, Economic Development, AA Contract Compliance, Contracts, Surety & Letters of Credit, Real Estate.

Agencies Primarily Served: Comptroller (TIF Financing/Purchasing/Bonds), CDA (Development), Engineering/Public Works, CEDU (Development), CDBG (Development), Real Estate, CitiARTS, Monona Terrace, Overture, Community Services (Child Care).

Katherine C. Noonan, Assistant City Attorney

Areas of Law: Intergovernment Agmts., Contracts, Planning, Zoning, Boundary & Annexation, Privilege in Streets, Copyright/Trademark, Condemnation Litigation.

Agencies Primarily Served: Planning, Zoning, Real Estate, Information Services.

Roger Allen, Assistant City Attorney

Areas of Law: Public Records, Open Meetings, Arbitration, Unemployment Comp., Workers Compensation, Lobbying, Harassment/Discrimination, ERD (wages and hours), Telecommunications/Cable.

Agencies Primarily Served: Affirmative Action, EOC, Human Resources, City Channel, Library, Clerk, Mayor, Common Council, Municipal Court (operations).

Lara Mainella, Assistant City Attorney

Areas of Law: Housing Operations, Intergovernmental Agmts., Street Use/Parades, Contracts, Special Events, Street Vending, Signs, Taxis.

Agencies Primarily Served: CDA (Housing), Streets, Comptroller (Purchasing), Building Inspection (signs and vending), Monona Terrace, Overture.

Jennifer Zilavy (75%), Assistant City Attorney

Areas of Law: Major nuisance violations, Assists with ALRC, community prosecution.

Agencies Primarily Served: Police Department, Building Inspection.

Steve Brist, Assistant City Attorney

Areas of Law: ALRC, Liquor Licenses, Liquor Violations, Parks, Railroads.

Agencies Primarily Served: City Clerk (ALRC), Police, Parks, Traffic Engineering.

Doran Viste, Assistant City Attorney

Areas of Law: Public Works, Environmental Regulation, Intergovernmental Agreements, Contracts, Boundary and Annexation Disputes, Litigation.

Prosecution/Ordinance Enforcement Team

Marci Paulsen (80%), Assistant City Attorney, Lead Prosecutor

Areas of Law: Lead Prosecutor, Traffic, general ordinance violations, Contracts, Health, Intergovernmental Agmts., Litigation.

Agencies Primarily Served: Police, Fire, Municipal Court, Information Services, Health.

Jaime Staffaroni, Assistant City Attorney

Areas of Law: Traffic, general ordinance violations, Forestry.

Agencies Primarily Served: Police, Health, Parking, Forestry.

Doran Viste, Assistant City Attorney

Areas of Law: Traffic, general ordinance violations.

Agencies Primarily Served: Police, Building Inspection.

Adriana Peguero, Assistant City Attorney

Areas of Law: Traffic, general ordinance violations, Landlord/Tenant, Building Code Inspections.

Agencies Primarily Served: Police, Building Inspection.

Maureen O'Brien, Assistant City Attorney

Areas of Law: Traffic, general ordinance violations.

John Strange, Assistant City Attorney

Areas of Law: Traffic, general ordinance violations.

Paralegal Staff

Pat Gehler, Litigation Assistant

Discovery Requests, Contract Review, Document/Exhibit Prep, General Legal Research, Bankruptcy, Worker's Comp.

Support Staff

Diane Althaus, Ordinance Revision Specialist

Patty Hustad, Legal Secretary 3

Sue Mautz, Legal Secretary 3

Sue O'Brien, Legal Secretary 2

Jill Bender, Legal Secretary 2

Stephanie Arnott, Legal Secretary 2 (50%)

Patti Mendez-Smith, Legal Secretary 2

Anita Cunegin, 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, i.e., Family Medical Leave Act (FMLA), Fair Labor Standards Act (FLSA), etc.

- Carolyn Hogg
- Roger Allen
- Michael P. May

In-House Training Committee

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

- Roger Allen
- Steve Brist
- Michael P. May

Contract Committee

This group meets quarterly to review contracting practices, templates, and issues.

- Michael May, City Attorney
- Anne Zellhoefer, Assistant City Attorney
- Lara Mainella, Assistant City Attorney
- Pat Gehler, Litigation Assistant, City Attorney's Office
- Randy Whitehead, Purchasing Supervisor
- Eric Veum, Risk Manager
- Larry Nelson, City Engineer
- Norman Davis, Affirmative Action
- Patti Brill, Comptroller's Office
- Dave Faust, Information Services
- James Whitney, City Architect