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Assistant City Attorneys

June 6, 2024

Mr. Francis Bock, President
Board of City Service Commissioners
City Hall
200 E. Wells Street, Room 706
Milwaukee, WI 53202

RE: Re-exempting 2 Deputy City Attorney Positions

Dear President Bock:

The City Attorney's Office would like to re-exempt two Deputy City Attorney positions as this position requires confidentiality and sensitivity and commitment to the strategic position of the City Attorney, an elected official. The position is significantly involved in providing policy advice. Furthermore, the position reports directly to the City Attorney and personal loyalty is necessary.

Please let me know if you have any questions or need additional information.

Very truly yours,


EVAN C. GOYKE
City Attorney

ECG/mc/cdr

c: Kristin Urban, Staffing Services Manager
Elizabeth Moore, Administrative Support Specialist
Sarah Sinsky, Human Resources Assistant

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Department of Employee Relations

Cavalier Johnson
Mayor

Harper Donahue, IV
Director

Molly King
Employee Benefits Director

Nicole M. Fleck
Labor Negotiator

TO: Board of City Civil Service Commissioners

FROM: Kristin Hennessy Urban
Human Resources Manager

DATE: June 6, 2024

RE: Request from the City Attorney to **re-exempt** two positions of Deputy City Attorney

<u>Position Title</u>	<u># of Positions</u>	<u>Pay Range</u>
Deputy City Attorney	2	1SX (\$149,117-\$208,755)

Please find attached a request from City Attorney Evan Goyke to re-exempt two positions of Deputy City Attorney, as well as a job description for the positions.

There are four Deputy City Attorneys and one Special Deputy in the City Attorney's Office; this group comprises the senior leadership team. These positions have historically been exempted from Civil Service, based upon the fact that the Deputy City Attorneys independently manage a section of staff attorneys, provide policy recommendations to the City Attorney, and represent the City Attorney before boards and commissions. Therefore, they must be closely aligned with the City Attorney's vision and direction.

For the reasons above, I recommend that the request to **re-exempt** the two position of Deputy City Attorney be approved.

Please contact me at 414.286.8643 should you have questions relative to this request.

JOB DESCRIPTION

FOR DER USE ONLY	
Vacancy No.	
City Service Commission:	Finance Committee:
Fire & Police Commission:	Common Council:

Instructions: Complete all sections. Refer to the *Guidelines for Preparing Job Descriptions* for instructions on completing specific items.

1. Date Prepared/ Revised: October 8, 2021		2. Present Incumbent:		Is incumbent underfilling position?			
3. Date Filled:		4. Previous Incumbent:		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
				If YES, indicate Underfill Title in box 10.			
5. Department: City Attorney's Office			Bureau:		Unit:		
			Division:		Section:		
6. Work Location: 841 N. Broadway St. #716			Telephone: 414-286-2601		Work Schedule:		
			Email:		Hours: 40 / Days:		
7. Represented by a Union? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		8. Bargaining Unit: Non-Mgmt/Non-Rep If in District Council 48, which local?			9. FLSA Status (check one): <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt		
10.	Official Title: Deputy City Attorney				Pay Range	Job Code	EEO Code
	Underfill Title (if applicable):				1SX		
	Requested Title (if applicable):						
Recommended Title (DER Use Only):				Approved by:			
				Date:			

11. BASIC FUNCTION OF POSITION:

The Deputy City Attorney has the overall responsibility of supervising a team that provides legal and administrative work to City Departments. He/she has an understanding of the duties of the City Attorney and performs said duties at his/her direction. The Deputy provides legal advice to the Mayor, Common Council, Department Heads, Council Committees, City Clerk and City officials and supervises the Assistant City Attorneys in his/her division in carrying out the described duties.

12. DESCRIPTION OF JOB (Check if description applies to **Official Title** or **Underfill Title**):

A. ESSENTIAL FUNCTIONS/Duties and Responsibilities: (Refer to the "Guidelines for Preparing Job Descriptions" for instructions on determining Essential Functions.)

45 % of Time	ESSENTIAL FUNCTION
	• Supervises the work of the staff attorneys and support staff in providing legal advice.
	• Supervises those in his/her division in the preparation of legal opinions, negotiations, and legal proceedings that impact the City.
	• Supervises staff attorneys on their provision of legal advice to City Departments, Mayor Common Council, Administrative Boards in all areas of municipal law.
	• Supervises staff on correspondence, legal communications, and necessary documents.
	• Reviews and approves documents, contracts and legal proceedings the City has an interest in.
30% Policy	• Handles major litigation with staff attorneys.
	• Prepares and reviews resolutions to the Common Council.
	• Advises the City Attorney on major legal matters and office operations.
	• Communicates with elected officials.
	• Works on the directives and vision of the City Attorney

B. PERIPHERAL DUTIES:

The above statements are intended to summarize the nature and level of work and typical responsibilities and duties being performed by the incumbent(s) of this job. They are not intended to be an exhaustive list of all responsibilities, duties, and tasks required of the position.

25% of Time	PERIPHERAL DUTY
	<ul style="list-style-type: none"> • Administrative responsibilities with staff and office operations. • Serves on the management team in the day to day operations. • Provides guidance and training to Assistant City Attorneys and support staff. • Advances the City Attorney's commitment to diversity and inclusion. • Interviews prospective staff attorney candidates. • Assists on the development of office budget. • Other duties as assigned by the City Attorney. • • •

C. NAME AND TITLE OF IMMEDIATE SUPERVISOR:

City Attorney Evan Goyke

D. SUPERVISION RECEIVED: (Describe the extent to which work assignments and methods are outlined, reviewed, and approved by this position's supervisor.)

City Attorney meets 1:1 with Deputy weekly, management meetings weekly and as needed.

E. SUPERVISION EXERCISED:

Total number of employees for whom responsible, either directly or indirectly = 6.

Direct Supervision: List the number and titles of personnel directly supervised. Specify the kind and extent of supervision exercised by indicating one or more of the following:

a. Assign duties	e. Sign or approve work
b. Outline methods	f. Make hiring recommendations
c. Direct work in progress	g. Prepare performance appraisals
d. Check or inspect completed work	h. Take disciplinary action or effectively recommend such

Number Supervised	Job Title	Extent of Supervision Exercised <i>(Select those that apply from list above, a - h)</i>
5	Assistant City Attorney	A-H
1	Paralegal	A-H

F. MINIMUM QUALIFICATIONS REQUIRED: (Indicate the MINIMUM qualifications required to enter the job.)

- i. Education and Experience:
Juris Doctorate from an accredited law school; fifteen to twenty years of experience in the practice of law; supervisory experience; ten years municipal government legal experience.
- ii. Knowledge, Skills and Abilities:
Advocacy, litigation and negotiations. Excellent oral and writing skills. Independent critical thought and analysis needed for complex and novel legal issues. High Professional demeanor; Strong collaborator and team player; attention to detail; maintain confidentiality.
- iii. Certifications, Licenses, Registrations:
Licensed to practice law in Wisconsin, Eastern and Western District of Wisconsin

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iv. Other Requirements:

13. PHYSICAL AND ENVIRONMENTAL DEMANDS: TOOLS AND EQUIPMENT USED

The Americans with Disabilities Act (ADA) of 1990, as amended by the Americans with Disabilities Act Amendments Act (ADAAA) of 2008 requires job descriptions to provide detailed information regarding the physical demands required to perform the essential functions of a job; the conditions under which the job is performed; and the tools and equipment the employee will be required to use on the job. Reasonable accommodations may be made to enable qualified individuals to perform the essential duties and responsibilities of the job for each of the categories listed below.

G. PHYSICAL ACTIVITY OF THE POSITION: (List the physical activities that are representative of those that must be met to successfully perform the essential functions of the job).

CHECK ALL THAT APPLY:

<input type="checkbox"/>	Climbing: Ascending or descending ladders, stairs, scaffolding, ramps, poles, and the like; using feet and legs and/or hands and arms. Body agility is emphasized. Check only if the amount and kind of climbing required exceeds that required for ordinary locomotion.
<input type="checkbox"/>	Balancing: Maintaining body equilibrium to prevent falling when walking, standing or crouching on narrow, slippery or erratically moving surfaces. Check only if the amount and kind of balancing exceeds that needed for ordinary locomotion and maintenance of body equilibrium.
<input type="checkbox"/>	Stooping: Bending body downward and forward by bending spine at the waist. Check only if it occurs to a considerable degree and requires full use of the lower extremities and back muscles.
<input type="checkbox"/>	Kneeling: Bending legs at knee to come to a rest on knee or knees.
<input type="checkbox"/>	Crouching: Bending the body downward and forward by bending leg and spine.
<input type="checkbox"/>	Crawling: Moving about on hands and knees or hands and feet.
<input type="checkbox"/>	Reaching: Extending Hand(s) and arm(s) in any direction.
<input checked="" type="checkbox"/>	Standing: Particularly for sustained periods of time.
<input checked="" type="checkbox"/>	Walking: Moving about on foot to accomplish tasks, particularly for long distances.
<input type="checkbox"/>	Pushing: Using upper extremities to exert force in order to draw, press against something with steady force in order to thrust forward, downward or outward.
<input type="checkbox"/>	Pulling: Using upper extremities to exert force in order to draw, drag, haul or tug objects in a sustained motion.
<input type="checkbox"/>	Lifting: Raising objects from a lower to a higher position or moving objects horizontally from position-to-position. Check only if it occurs to a considerable degree and requires substantial use of the upper extremities and back muscles.
<input checked="" type="checkbox"/>	Fingering: Picking, pinching, typing or otherwise working primarily with fingers rather than with the whole hand or arm, as in handling.
<input checked="" type="checkbox"/>	Grasping: Applying pressure to an object with fingers and palm.
<input checked="" type="checkbox"/>	Feeling: Perceiving attributes of objects such as size, shape, temperature or texture by touching with the skin, particularly that of the fingertips.
<input checked="" type="checkbox"/>	Talking: Expressing or exchanging ideas by means of the spoken word. Those activities which demand detailed or important instructions spoken to other workers accurately, loudly or quickly.
<input checked="" type="checkbox"/>	Hearing: Perceiving the nature of sounds with no less than a 40 db loss. Ability to receive oral communication and make fine discriminations in sound.
<input type="checkbox"/>	Repetitive Motions: Substantial movements (motions) of the wrist, hands, and/or fingers.
<input checked="" type="checkbox"/>	Driving: Minimum standards required by State Law (including license).

H. PHYSICAL REQUIREMENTS OF THE POSITION: (List the physical requirements that are essential functions of the job.)

CHECK ONE:

<input checked="" type="checkbox"/>	Sedentary Work: Exerting up to 10 pounds of force occasionally and/or negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects. Sedentary work involves sitting most of the time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.
<input type="checkbox"/>	Light Work: Exerting up to 10 pounds of force occasionally and/or negligible amount of force constantly to move objects. If the use of arm and/or leg controls requires exertion of forces greater than that for sedentary work and the worker sits most of the time, the job is rated for Light Work.

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<input type="checkbox"/>	Medium Work: Exerting up to 50 pounds of force occasionally and/or up to 20 pounds of force frequently, and/or up to 10 pounds of force constantly to move objects.
<input type="checkbox"/>	Heavy Work: Exerting up to 100 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or up to 20 pounds of force constantly to move objects.
<input type="checkbox"/>	Very Heavy Work: Exerting in excess of 100 pounds of force occasionally, and/or in excess of 50 pounds of force frequently, and/or in excess of 20 pounds of force constantly to move objects.

I. VISUAL ACUITY REQUIREMENTS: (List the visual acuity requirements that are essential functions of the job.)

CHECK ONE:

<input checked="" type="checkbox"/>	Operators (Electronic Equipment), Inspection, Close Assembly, Clerical, Administrative: This is a minimum standard for use with those whose job requires work done at close visual range (i.e. preparing and analyzing data and figures, accounting, transcription, computer terminal, extensive reading, visual inspection involving small parts, operation of machines, using measurement devices, assembly or fabrication of parts).
<input type="checkbox"/>	Machine Operators, Mechanics, Skilled Tradespeople: This is a minimum standard for use with those whose work deals with machines where the seeing job is at or within arm's reach. This also includes mechanics and skilled tradespeople and those who do work of a non-repetitive nature such as carpenters, technicians, service people, plumbers, painters, mechanics, etc. (If the machine operator also inspects, check the "Operators" box.)
<input type="checkbox"/>	Mobile Equipment Operators: This is a minimum standard for use with those who operate cars, trucks, forklifts, cranes, and high lift equipment.
<input type="checkbox"/>	Other: This is a minimum standard based on the criteria of accuracy and neatness of work for janitors, sweepers, etc.

J. THE CONDITIONS THE WORKER WILL BE SUBJECT TO IN THIS POSITION:

List the environmental/working conditions to which the employee may be exposed while performing the essential functions of the job. Include scheduling considerations such as on-call for emergencies, rotating shift, etc. **Approximate Percentage of time performing field work:** _____%

CHECK ALL THAT APPLY:

<input checked="" type="checkbox"/>	None: The worker is not substantially exposed to adverse environmental conditions (such as typical office or administrative work).
<input type="checkbox"/>	The worker is subject to inside environmental conditions: Protection from weather conditions but not necessarily from temperature changes (i.e. warehouses, covered loading docks, garages, etc.)
<input type="checkbox"/>	The worker is subject to outside environmental conditions: No effective protection from weather.
<input type="checkbox"/>	The worker is subject to extreme cold: Temperatures below 32 degrees for period of more than one hour.
<input type="checkbox"/>	The worker is subject to extreme heat: Temperatures above 100 degrees for periods of more than one hour.
<input type="checkbox"/>	The worker is subject to noise: There is sufficient noise to cause the worker to shout in order to be heard above the surrounding noise level.
<input type="checkbox"/>	The worker is subject to vibration: Exposure to oscillating movements of the extremities or whole body.
<input type="checkbox"/>	The worker is subject to hazards: Includes a variety of physical conditions, such as proximity to moving mechanical parts, electrical current, working on scaffolding and high places or exposure to chemicals.
<input type="checkbox"/>	The worker is subject to atmospheric conditions: One or more of the following conditions that affect the respiratory system or the skin: Fumes, odors, dust, mists, gases or poor ventilation.
<input type="checkbox"/>	The worker is subject to oil: There is air and/or skin exposure to oils and other cutting fluids.
<input type="checkbox"/>	The worker is required to wear a respirator.

K. MACHINE, TOOLS, EQUIPMENT, ELECTRONIC DEVICES, SOFTWARE, ETC. USED BY POSITION:

List equipment needed to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions.)

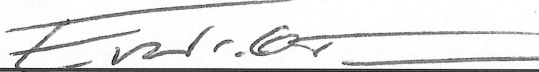
CHECK ALL THAT APPLY:

<input type="checkbox"/>	Camera and photographic equipment	<input checked="" type="checkbox"/>	Office Equipment (desk, chair, telephone, etc.)						
<input type="checkbox"/>	Cleaning supplies	<input checked="" type="checkbox"/>	Office supplies (pens, staplers, pencils, etc.)						
<input type="checkbox"/>	Commercial vehicle	<input type="checkbox"/>	Packing materials (boxes, shrink wrap, etc.)						
<input type="checkbox"/>	Data processing equipment	<input checked="" type="checkbox"/>	PC equipment (monitor, keyboard, printer, etc.)						
<input type="checkbox"/>	Handcart	<input checked="" type="checkbox"/>	PC software						
<input type="checkbox"/>	Hand tools (please list):								
<input type="checkbox"/>	Office Machines (check all that apply):	<input checked="" type="checkbox"/>	Copier	<input checked="" type="checkbox"/>	Facsimile	<input checked="" type="checkbox"/>	Calculator	<input type="checkbox"/>	Cash register
<input type="checkbox"/>	Other (please list):								

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L. SUPPLEMENTARY INFORMATION: (Indicate any other information which further explains the importance, difficulty, or uniqueness of the position, such as its scope of responsibility related to finances, equipment, people, information, etc. Also indicate success factors such a personal characteristics that contribute to an individual's ability to perform well in the job, and any other special considerations.)

M. I believe that the statements made above in describing this job are complete and accurate.



Signature of Department Head or Designated Representative

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