

**OFFICE OF CITY ATTORNEY**  
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**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, and
- 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. The City Attorney shall be in charge of the prosecution of all cases arising out of the violation of the provisions of the City ordinances. The City Attorney 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 his or her 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, and all City departments/agencies. The City Attorney also represents the Community Development Authority, and Public Health Madison and Dane County (together with Dane County Corporation Counsel).

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 residents.

## **Legal Staff**

### **Michael R. Haas, City Attorney**

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Areas of Law: Office Administration, Government Operations, Council & Committee Procedures, Constitutional Law, Redistricting and Clerk's Office back-up, Litigation, Open Meetings/Public Records back-up

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

### **Patricia A. Lauten, Deputy City Attorney**

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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, EAP

### **Jennifer Zilavy, Assistant City Attorney**

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Areas of Law: Alcohol License Enforcement, Training and Outreach, Community Prosecution, Major Nuisance Violations, Special Prosecutions (ALRC), Halloween, Neighborhood Resource Teams Liaison, Emergency Management

Agencies Primarily Served: Police Department, Building Inspection, Neighborhood Resource Teams, Clerk (ALRC)

### **Lara Mainella, Assistant City Attorney**

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Areas of Law: Contracts, Software/Technology Contracts, Street Use/Parades, Special Events, Street Vending, Signs, First Amendment, Municipal Administrative Appeals/Certiorari, Religion (Establishment and Free Exercise Clause), Special Events (Parks)

Agencies Primarily Served: Finance (Purchasing); Building Inspection/Zoning (signs), all agencies (contracts except public works and employee/labor), IT (contracts and licensing), OBR (Street Vending), Parks (Street Use), Administrative Review Board, Racial Equity and Social Justice Initiative

### **Jaime Staffaroni, Assistant City Attorney**

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

Agencies Primarily Served: Assessor, Treasurer, Board of Review

### **Doran Viste, Assistant City Attorney**

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Areas of Law: Public Works, Intergovernmental Agreements, Cooperative Plans and Boundary Issues, Public Works Projects and Contracts, Environmental Regulations, Public Utilities, Condemnation, Litigation, Real Estate, Special Assessment/Special Charges and Impact Fees, Special Prosecutions, Privilege in Streets, Right of Way Regulation, BRT Infrastructure Agreements with DOT and other municipalities, IT - Infrastructure

Agencies Primarily Served: Department of Public Works (Engineering, Stormwater, Water/Sewer Utilities, Parks, Streets, Water Utility), Planning (Intergovernmental), Transportation, Traffic Engineering, Parks, Real Estate, Forestry, Parking Division Operations, IT; Sustainability

### **Adriana Peguero, Assistant City Attorney**

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Areas of Law: Civil Rights (EOC, AA and CPD) including AA Contract Compliance, Open Meetings, Public Records, IT Operations, Arts

Agencies Primarily Served: Department of Civil Rights (Equal Opportunities Commission, Affirmative Action, Commission on People with Disabilities), Equity Core Team, SBE Appeals, Information Technology including City Channel, Arts Commission

### **Kate Smith, Assistant City Attorney**

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Areas of Law: Planning, Zoning, Boundary and Annexation, Subdivision Regulations

Agencies Primarily Served: DPCED (Planning & Zoning)

### **Amber McReynolds, Assistant City Attorney**

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Areas of Law: ALRC Advisor (Liquor Reg.), Clerk's Office (Lobbying, Elections), Library, Senior Center, Monona Terrace, Intellectual Property (Trademark, Copyright), Landlord-Tenant Law (Chapter 32 MGOs); Ethics Code

Agencies Primarily Served: ALRC, City Clerk, Library, Senior Center, Monona Terrace, Room Tax Commission, Landlord Tenant Issues Committees, Ethics Board

**Matt Robles, Assistant City Attorney**

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Areas of Law: Bonds, Tax Incremental Financing, Economic Development, Surety & Letters of Credit, Real Estate Development, Developer's Agreements, 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

**Eric Finch, Assistant City Attorney**

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Areas of Law: Transportation, Public Transit (Metro, BRT) Contracts, Software/IT Contracts, Grants, FTA and Title VI Compliance, Railroads, Transportation Demand Management (TDM), Parking (except enforcement)

Agencies Primarily Served: Metro, Transportation, IT, Parking, Traffic Engineering (Railroad/OCR), Transportation Comm., Greater Madison MPO, IT Contracts (backup for all agencies)

**Andrew Schauer, Assistant City Attorney**

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Areas of Law: Police and Fire, Policy, Recruitment, Commissioned Personnel, Discipline, PFC Prosecution, Contracts, Drones

Agencies Primarily Served: Police, Fire, Civilian Oversight Board

**Vacant, Assistant City Attorney**

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**Prosecution/Ordinance Enforcement Team**

**Marci Kurtz, Assistant City Attorney (Lead Prosecutor)**

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Areas of Law: Traffic, General Ordinance Violations, Homeless Restorative Justice (HRJ) Project, Animal Control, Infectious Disease, Worker's Comp Hearings; Subrogation/Restitution Hearings, MPD Lead Con Law Instruction; 1st Amendment surrounding MPD

Agencies Primarily Served: Police, Public Health

**Brittany Wilson, Assistant City Attorney**

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Areas of Law: Traffic, General Ordinance Violations, CDA Housing, Evictions and Section 8, return of MPD seized property, Subpoena issues surrounding MPD

Agencies Primarily Served: Police, Community Development Authority (CDA)

**Jason Donker, Assistant City Attorney**

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Areas of Law: Traffic, General Ordinance Violations, Parking Enforcement and Towing, Affirmative Action Commission/DCR, Vehicle and Micromobility (bikes, scooters, golf carts, etc.), Water Utility Prosecution, 1st Amendment backup, Con Law instructor back up

Agencies Primarily Services: Police, Civil Rights, Parking Enforcement, Transportation (Parking Division), Court Services (Parking, Towing and Impound), DCR/Affirmative Action, Water Utility

**Avery Schulman, Assistant City Attorney**

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Areas of Law: Traffic, General Ordinance Violations, Health and Fire Code Long Forms, HIPAA, AODA and Menth Health, Street Vending Prosecution, MFD Open Records surrounding calls for service

Agencies Primarily Served: Police, Health, Fire

**Ben Becker, City Attorney**

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Areas of Law: Traffic, General Ordinance Violations, Building Inspection/Zoning/Sign Code Long Forms, Taxis, Unemployment Compensation Hearings

Agencies Primarily Served: Police, Building Inspection/Zoning, Traffic Engineering (Taxis)

**Paralegal Staff**

**Ryan Riley, Paralegal**

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

**Support Staff**

**Sue Mautz, Administrative Supervisor**

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**Patti Mendez-Smith, Legal Administrative Assistant 2**

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**Derek Schuld, Legal Administrative Assistant 2**

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**Rebecca Braselton, Administrative Assistant 2**

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**Jennifer Janke-Bartholomew, Legal Office Assistant**

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**Megan Glaeser, Ordinance Revision Specialist**

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**Marie Berman, Receptionist/Clerk Typist**

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**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
- Adriana Peguero
- Michael R. Haas

**In-House Training Group**

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

- Adriana Peguero
- Michael R. Haas

**Contract Group**

This is a staff group with representation from all City agencies that meets regularly to review and provide training about City contract procedures and issues. It is led by ACA Lara Mainella, with representatives from Purchasing, DCR, IT and Risk Management.