



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation
12-293

Referred
MAR - 6 2012
County Board
Chairman

Item 1

Date: March 2, 2012
To: The Honorable Lee Holloway, Chairman, County Board of Supervisors
From: Chris Abele, County Executive
Subject: Appointment to the Aging and Disability Resource Center (ADRC) Governing Board

FILE NO. 12-293

Pursuant to State Statute 46.283 (6), I am hereby reappointing Ms. Jenice Marie Burrell to the Aging and Disability Resource Center (ADRC) Governing Board. Ms. Burrell's reappointment fills a position on the ADRC board in the category of School Transition representative. Attached is a copy of Ms. Burrell's resume. The term of service for this appointment is 3 years. It will expire April 30, 2016.

Your consideration and review of this appointment is appreciated.

Chris Abele
Milwaukee County Executive

Cc: Terry Cooley
Stephanie Sue Stein, Director, Department on Aging
Geri Lyday, Administrator, Department of Health and Human Services-
Disabilities Services
Ms. Jenice Burrell

RESUME

Jenice Marie Burrell

318 West Appletree Road, Glendale, Wisconsin 53217

jeniceburrell@att.net Home 414-352-4453 Mobile 414-975-6303

EDUCATION

University of Wisconsin- Milwaukee

Master of Science, Exceptional Education August, 1978

Master's Thesis: A Prevocational Battery/Curriculum Guide for Mentally Retarded Students.

Bachelor of Science, Exceptional Education June, 1969

WORK EXPERIENCES

University of Wisconsin-Milwaukee (UWM)

Training Officer

7/2009-Present

Worked as a training officer for the Medicaid Infrastructure Grant (MIG) program focusing on training related to the transition of students with disabilities from high school to adult system. Developed training materials and made presentations at 4 identified Milwaukee Public Schools (MPS) on transition, publicly long term care, integrated employment, Medicare and Medicaid options for employment, ADA legislation, and post secondary options for students with disabilities as they prepare for life after high school and the adult system. Presentations and training sessions included teachers, parents and additional specified school personnel. Served as a liaison between MIG program and the Disability Resource Center of Milwaukee County, Wisconsin Department of Health Services, Department of Vocational Rehabilitation, MPS principals, special education teachers and other staff members.



OFFICE OF THE COUNTY EXECUTIVE

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CHRIS ABELE • COUNTY EXECUTIVE

Confirmation

12-294

Referred

MAR - 6 2012

County Board
Chairman

Item 2

FILE NO. 12-294

Date: March 2, 2012

To: The Honorable Lee Holloway, Chairman, County Board of Supervisors

From: Chris Abele, County Executive

Subject: Appointment to the Aging and Disability Resource Center (ADRC) Governing Board

Pursuant to State Statute 46.283 (6), I am hereby reappointing Mr. Robert Pietrykowski to the Aging and Disability Resource Center (ADRC) Governing Board. Mr. Pietrykowski reappointment fills a position on the ADRC board in the category of Disability Advocate. Attached is a copy of Mr. Pietrykowski resume. The term of service for this appointment is 3 years. It will expire April 30, 2016.

Your consideration and review of this appointment is appreciated.

Chris Abele
Milwaukee County Executive

Cc: Terry Cooley
Stephanie Sue Stein, Director, Department on Aging
Geri Lyday, Administrator, Department of Health and Human Services-
Disabilities Services
Mr. Robert Pietrykowski

ROBERT PIETRYKOWSKI

Building community through relationships and networks.

2710 South Shore Drive #A
Milwaukee, Wisconsin 53207-2361

(414) 747-1190

(414) 747-8963 Fax

bobmilw@aol.com

SUMMARY BIO

- Bob has had many opportunities to learn from thoughtful and effective boards of directors, volunteers, and executives in his professional and volunteer careers. These careers also have given him opportunities to demonstrate successful leadership in the nonprofit sector as a paid administrator or consultant, as a director on numerous nonprofit boards, and as the board president for numerous boards of directors of nonprofit organizations; among them: Future Milwaukee, InHealth Wisconsin, Kiwanis Club of Milwaukee, La Farge Lifelong Learning Center, University of Wisconsin–Milwaukee Chancellor’s Board of Visitors, and Transitional Living Services (TLS).
- He serves on CORE/EI Centro’s fund development committee and on the national advisory board of The Policy Institute for Family Impact Seminars (based in Madison, WI), and continues to be a member of the Milwaukee County Commission on Aging’s Wellness Council.
- Bob has worked or consulted in a variety of nonprofit settings ranging from those directly serving persons in health and human services – to collaborative groups – to community and family foundations. These organizations include The Planning Council for Health and Human Services, the Helen Bader Foundation, The Greater Milwaukee Foundation, Aurora Health Care, the Southeastern Wisconsin End-of-Life Coalition, United Neighborhood Centers of Milwaukee, Guest House of Milwaukee, Community Care, St. Vincent de Paul Society-Milwaukee, Family Enrichment Center of Ozaukee County, and Hmong American Friendship Association.
- In addition to a Masters Degree in Social Welfare, Bob has certificates from mediation and nonprofit board consulting institutes, and memories of audience laughter during graduation from Comedy College.

Associate Lecturer

9/2003-6/2009

Supervision of Teachers enrolled in Exceptional Education Intern Program

Supervised and completed formal observations and evaluations of classroom instruction, lesson planning, IEP development, professionalism, assessment and monitoring, collaboration demonstrated by teachers enrolled in the high school intern certification program. Intern teachers were observed and evaluated as they worked in the Milwaukee Public School system and additional public school systems in southeastern Wisconsin. Provided final ratings/UWM grade per student based upon the formal observations and evaluations completed in the intern's classroom.

Milwaukee Public Schools (MPS)

8/1969-6/2003

Special Education Teacher Milwaukee High School of the Arts (8/96-6/2003)

High school special education teacher for students with cognitive and physical disabilities. Developed effective transition plans for students that provided exposure and training to possible integrated employment options. Identified vocational areas and sites for training for students with disabilities attending Milwaukee High School of the Arts.

Multidisciplinary Team Manager, MPS Department of Special Education (1/79-6/96)

Directed teams of professionals through the evaluation process for students with special education needs.

Ensured the legality of student and parental rights throughout the diagnostic process as indicated by public law 94-142 (now IDEA)

Special Education Teacher (8/1969-12/78)

Worked at various MPS schools as a special education teacher. Duties included individualized instruction, lesson planning, monitoring student progress, consistent parent contact and developing effective IEPs.

Title 1 Math Coordinator Thirty First Street School (1973-74)

Provided staffing services, conducted parent workshops and supervised project and paraprofessionals

AWARDS

WISN Channel 12 Teacher of the Year 2001

Metropolitan Milwaukee Association Black School Educators, Teacher of the Year, 2003

Parents Anonymous Community Service Award, 1989

PROFESSIONAL MEMBERSHIPS

Milwaukee Public Schools-Charter School Proposal Review Committee-Present

Board of Directors, Saint Francis Children's Center-Present

Board of Directors, Catch a Rising Star Foundation-Present

Board of Directors, Parents Anonymous 1987-1990

Board of Director Wisconsin Alliance for Children

Member of State of Wisconsin Child Welfare Committee 1988-1990

Council for Exceptional Children



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CHRIS ABELE • COUNTY EXECUTIVE

Confirmation
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Referred
MAR - 6 2012

County Board
Chairman

Item 3

FILE NO. 12-295

Date: March 2, 2012
To: The Honorable Lee Holloway, Chairman, County Board of Supervisors
From: Chris Abele, County Executive
Subject: Appointment to the Aging and Disability Resource Center (ADRC) Governing Board

Pursuant to State Statute 46.283 (6), I am hereby reappointing Ms. Carol Anderson to the Aging and Disability Resource Center (ADRC) Governing Board. Ms. Anderson's reappointment fills a position on the ADRC board in the category of Aging Consumer. Attached is a copy of Ms. Anderson's resume. The term of service for this appointment is 3 years. It will expire April 30, 2016.

Your consideration and review of this appointment is appreciated.

A handwritten signature in black ink, appearing to read "Chris Abele", written over a horizontal line.

Chris Abele
Milwaukee County Executive

Cc: Terry Cooley
Stephanie Sue Stein, Director Department on Aging
Geri Lyday, Administrator, Department of Health and Human Services-
Disabilities Services
Ms. Carol Anderson

Carol Mae D. Anderson
2346 N 73rd Street
Wauwatosa WI 53213-1210
414-774-2441

Resident of Wauwatosa for the past nine years
Retired from Chicago Illinois

Education:

Graduate of the Rehabilitation Institute of Chicago

Work Experience:

- Spent many years working in occupational therapy, employed in hospitals and nursing homes in the Chicago land area.
- Taught daily living skills in a community mental health program

Community Service Experience:

- Served 15 years on Board of Directors of Christopher House, a Chicago Settlement House/Social Services agency
- Active in community development projects
- Various positions in neighborhood associations
- Very active at Hart Park Senior Center, Wauwatosa WI
- Advisory Board Member (off/on) over the past nine years
- Taught many classes on crafts, discussion & informational topics and resources
- Sing/play with "Music from the Heart," a group of seniors who visit area nursing homes and church groups
- Facilitator for a large group of ladies known as "The Red Hatters"
- Participated in the County and State Senior Statesman Program
- Currently a member of the Resource Oversight Committee, which gives me an in-depth understanding of the programs that are available for seniors in our area
- January 2010, presented a program at Hart Park Senior Center on different resources available to seniors (over 30 members in attendance)



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation

12-296

Referred

MAR - 6 2012

**County Board
Chairman**

Item 4

FILE NO. 12-296

Date: March 2, 2012

To: The Honorable Lee Holloway, Chairman, County Board of Supervisors

From: Chris Abele

Subject: Appointment to the Commission for Persons with Disabilities

Subject to the confirmation of your Honorable Body and pursuant to the provisions set forth in the General Ordinances of Milwaukee County, Chapter 73, I am hereby reappointing Ms. Deb Falk-Palec to the Commission for Person with Disabilities. Ms. Falk-Palec's term will expire on March, 31 2014.

Your consideration and confirmation will be appreciated

Chris Abele
Milwaukee County Executive

cc: Milwaukee County Board Supervisors
Terry Cooley, Chief of Staff
Don Natzke, Director, Commission for Persons with Disabilities
Deb Falk-Palec



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation

12-297

Referred

MAR - 6 2012

County Board
Chairman

Item 5

FILE NO. 12-297

Date: March 2, 2012

To: The Honorable Lee Holloway, Chairman, County Board of Supervisors

From: Chris Abele

Subject: Appointment to the Commission for Persons with Disabilities

Subject to the confirmation of your Honorable Body and pursuant to the provisions set forth in the General Ordinances of Milwaukee County, Chapter 73, I am hereby reappointing Mr. Eric Hobbs to the Commission for Person with Disabilities. Mr. Hobbs's term will expire on March, 31 2014.

Your consideration and confirmation will be appreciated

Chris Abele
Milwaukee County Executive

cc: Milwaukee County Board Supervisors
Terry Cooley, Chief of Staff
Don Natzke, Director, Commission for Persons with Disabilities
Eric Hobbs



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation
12-298

Referred

MAR - 6 2012

County Board
Chairman

Item 6

FILE NO.

12-298

Date: March 2, 2012
To: The Honorable Lee Holloway, Chairman, County Board of Supervisors
From: Chris Abele
Subject: Appointment to the Commission for Persons with Disabilities

Subject to the confirmation of your Honorable Body and pursuant to the provisions set forth in the General Ordinances of Milwaukee County, Chapter 73, I am hereby reappointing Mr. Tom Jacobs to the Commission for Person with Disabilities. Mr. Jacobs's term will expire on March, 31 2014.

Your consideration and confirmation will be appreciated

Chris Abele
Milwaukee County Executive

cc: Milwaukee County Board Supervisors
Terry Cooley, Chief of Staff
Don Natzke, Director, Commission for Persons with Disabilities
Tom Jacobs



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation

12-299

Referred

MAR - 6 2012

County Board
Chairman

Item 7

FILE NO. 12-299

Date: March 2, 2012

To: The Honorable Lee Holloway, Chairman, County Board of Supervisors

From: Chris Abele

Subject: Appointment to the Commission for Persons with Disabilities

Subject to the confirmation of your Honorable Body and pursuant to the provisions set forth in the General Ordinances of Milwaukee County, Chapter 73, I am hereby reappointing Ms. Denise Koss to the Commission for Person with Disabilities. Ms. Koss's term will expire on March, 31 2014.

Your consideration and confirmation will be appreciated

Chris Abele
Milwaukee County Executive

cc: Milwaukee County Board Supervisors
Terry Cooley, Chief of Staff
Don Natzke, Director, Commission for Persons with Disabilities
Denise Koss



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation

12-300

Referred

MAR - 6 2012

County Board
Chairman

Item 8

FILE NO. 12-300

Date: March 2, 2012

To: The Honorable Lee Holloway, Chairman, County Board of Supervisors

From: Chris Abele

Subject: Appointment to the Commission for Persons with Disabilities

Subject to the confirmation of your Honorable Body and pursuant to the provisions set forth in the General Ordinances of Milwaukee County, Chapter 73, I am hereby reappointing Ms. Barbara Leigh to the Commission for Person with Disabilities. Ms. Leigh's term will expire on March, 31 2014.

Your consideration and confirmation will be appreciated

Chris Abele
Milwaukee County Executive

cc: Milwaukee County Board Supervisors
Terry Cooley, Chief of Staff
Don Natzke, Director, Commission for Persons with Disabilities
Barbara Leigh



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation

12-301

Referred

MAR - 6 2012

County Board
Chairman

Item 9

FILE NO. 12-301

Date: March 2, 2012

To: The Honorable Lee Holloway, Chairman, County Board of Supervisors

From: Chris Abele

Subject: Appointment to the Commission for Persons with Disabilities

Subject to the confirmation of your Honorable Body and pursuant to the provisions set forth in the General Ordinances of Milwaukee County, Chapter 73, I am hereby reappointing Ms. Cheri McGrath to the Commission for Person with Disabilities. Ms. McGrath's term will expire on March, 31 2014.

Your consideration and confirmation will be appreciated

Chris Abele
Milwaukee County Executive

cc: Milwaukee County Board Supervisors
Terry Cooley, Chief of Staff
Don Natzke, Director, Commission for Persons with Disabilities
Cheri McGrath



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation

12-302

Referred

MAR - 6 2012

**County Board
Chairman**

Item 10

FILE NO. 12-302

Date: March 2, 2012
To: The Honorable Lee Holloway, Chairman, County Board of Supervisors
From: Chris Abele
Subject: Appointment to the Commission for Persons with Disabilities

Subject to the confirmation of your Honorable Body and pursuant to the provisions set forth in the General Ordinances of Milwaukee County, Chapter 73, I am hereby reappointing Mr. Don Richards to the Commission for Person with Disabilities. Mr. Richards's term will expire on March, 31 2014.

Your consideration and confirmation will be appreciated

Chris Abele
Milwaukee County Executive

cc: Milwaukee County Board Supervisors
Terry Cooley, Chief of Staff
Don Natzke, Director, Commission for Persons with Disabilities
Don Richards



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Confirmation

12-306

Referred

MAR - 9 2012

**County Board
Chairman**

Item 11

FILE NO. 12-306

Date: March 2, 2012
To: The Honorable Lee Holloway, Chairman, County Board of Supervisors
From: Chris Abele
Subject: Appointment to the Commission for Persons with Disabilities

Subject to the confirmation of your Honorable Body and pursuant to the provisions set forth in the General Ordinances of Milwaukee County, Chapter 73, I am hereby reappointing Supervisor Willie Johnson Jr. to the Commission for Person with Disabilities. Supervisor Johnson's term will expire on March, 31 2014.

Your consideration and confirmation will be appreciated

A handwritten signature in black ink, appearing to read "Chris Abele", written over a horizontal line.

Chris Abele
Milwaukee County Executive

cc: Milwaukee County Board Supervisors
Terry Cooley, Chief of Staff
Don Natzke, Director, Commission for Persons with Disabilities
Supervisor Willie Johnson Jr.

1 Supervisor Joe Sanfelippo, Chairperson
2 From the Committee on Personnel, reporting on:

4 File No. RES 11-608

6 (ITEM 12) A resolution by Supervisors Sanfelippo, Rice, and Cesarz authorizing and
7 directing the Employee Benefits Workgroup to fully develop a graduated defined
8 contribution pension plan to replace the existing defined benefit plan, and to report back
9 with a final plan for implementation, by recommending adoption of the following:

11 **AN AMENDED RESOLUTION**

13 WHEREAS, despite recent changes in pension plan design for non-represented
14 employees and certain collective bargaining units, Milwaukee County continues to face a
15 growing structural deficit that is driven in no small measure by future pension obligations;
16 and

18 WHEREAS, according to a 2010 report from the Public Policy Forum, based on
19 2009 projections from the Department of Administrative Services, Milwaukee County's
20 annual contribution to the Employee Retirement System (ERS) is projected to exceed \$105
21 million by 2015; and

23 WHEREAS, for 2011, the employee fringe benefit rate for Milwaukee County,
24 expressed as a percentage of payroll, will approach 100% – an unsustainable ratio that
25 effectively prohibits some departments from hiring adequate staffing; and

27 WHEREAS, according to a staff presentation at a meeting of the Long Range
28 Strategic Planning Committee in December 2009, the most obvious and necessary solution
29 to Milwaukee County's structural deficit must be major reforms to reduce the cost of
30 employee benefits; and

32 WHEREAS, because employee layoffs and job outsourcing are often the corrective
33 actions that are resorted to in response to the structural deficit, eliminating that structural
34 hole and making the jobs more affordable are the best ways to protect and preserve County
35 jobs; and

37 WHEREAS, in response to a study directed in the 2010 Adopted Budget, the ERS
38 actuary provided a report in July 2010 that detailed savings of over \$267 million in the first
39 ten years and more than \$2.2 billion in 50 years if Milwaukee County switched to a
40 defined contribution plan with a four percent contribution match; and

42 WHEREAS, phasing in the matching program over time will increase savings by
43 approximately 25% while rewarding as well as encouraging employee retention; now,
44 therefore,

46 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes
47 and directs the Employee Benefit Workgroup to fully develop a defined contribution
48 pension plan to replace the existing defined benefit plan and to submit the plan for review
49 by the Committees on Personnel and Finance and Audit at the June 2012 meetings; and
50

51 BE IT FURTHER RESOLVED, that the defined contribution plan to be developed by
52 the Employee Benefits Work Group shall address matters including, but not limited to,
53 matching contributions, hybrid models, and employee recruitment and retention, while
54 maximizing savings for Milwaukee County and shall be scheduled to be implemented
55 January 1, 2013; and
56

57 BE IT FURTHER RESOLVED, that the Work Group is further directed to retain
58 outside legal counsel to advise on the related risks of legal exposure associated with
59 including all current employees as well as new hires in recommended defined contribution
60 plan; and
61

62 BE IT FURTHER RESOLVED, the Employee Benefit Workgroup is authorized and
63 directed to secure an actuarial analysis of the final defined contribution plan design in
64 accordance with the above criteria, which shall be presented along with a plan for
65 implementation at the May meeting of the Committees on Finance and Audit and
66 Personnel and at a meeting of the Pension Study Commission; and
67

68 BE IT FURTHER RESOLVED, that it is the intention of Milwaukee County to direct
69 the Director, Department of Labor Relations, to include this plan in all contract
70 negotiations with collective bargaining units, and that upon agreement by all collective
71 bargaining units, such defined contribution plan will become effective for all non-
72 represented employees and all elected officials.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: November 29, 2010

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution authorizing and directing the Employee Benefits Workgroup to fully develop a graduated defined contribution pension plan to replace the existing defined benefit plan, and to report back with a final plan for implementation.

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	7,000
	Revenue	0	0
	Net Cost	0	7,000
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Adoption of this resolution will require the Employee Benefits Workgroup to procure an analysis of the actuarial effect the proposed change will have on the pension fund and will require an expenditure of staff time. The actuary has estimated that such an analysis will cost approximately \$7,000. Funding for actuarial services, among other activities required by the Employee Benefits Workgroup, was included in the 2011 Adopted Budget in Org. Unit 1950.

Department/Prepared By County Board / Caschin

Authorized Signature *Rick Caschin*

Did DAS-Fiscal Staff Review? Yes No

COUNTY BOARD
CHAIRMAN

2010 NOV 31 AM 4:44

RECEIVED

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 13) From the Director, Department of Human Resources, requesting authorization to retroactively extend the Temporary Assignment to a Higher Classification (TAHC) for Stefanie Erickson who previously served in the position of Contract Services Coordinator in the Behavioral Health Division, Department of Health and Human Services, until it was filled on January 23, 2012, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Temporary Assignments to a Higher Classification (TAHCs) are authorized for represented employees pursuant to Milwaukee County Code of General Ordinance 17.085; and

WHEREAS, Milwaukee County Ordinance 17.085 states that employees in the classified and unclassified service may receive a temporary assignment to a vacant unclassified position for ninety (90) days or less with one (1) extension of ninety (90) days or less with the extension provision pursuant to approval by the Human Resources Director; and

WHEREAS, Milwaukee County Ordinance 17.085 states that any further extensions must be approved by the County Board; and

WHEREAS, Stefanie Erickson served in the position of Contract Services Coordinator since March 7, 2011; and

WHEREAS, it is necessary to retroactively extend Stefanie Erickson’s TAHC since she performed a key function for the BHD-Community Services Branch for a significant amount of time, including maintaining over \$15 million in community based service contracts; now, therefore,

BE IT RESOLVED, that Stefanie Erickson shall be retroactively approved for a Temporary Assignment to a Higher Classification as Contract Services Coordinator through January 23, 2012.

ilm
03/01/2012
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/15/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Proposed Resolution Regarding Extension of Stefanie Erickson's TAHC Assignment

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	1,388	
	Revenue	0	
	Net Cost	1,388	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

2012 FEB 22 AM 9:12
MILWAUKEE COUNTY
DEPARTMENT OF HUMAN RESOURCES

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

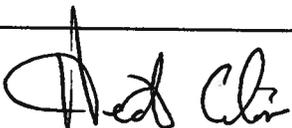
A.) Ms. Erickson served in a TAHC for the position of Contract Services Coordinator since March 7, 2011, per the approval of the Interim Director of Human Resources at that time. Due to the transition within the Behavioral Health Division's (BHD) human resources area, this TAHC was inadvertently never requested for additional extensions after July 8, 2011. Ms. Erickson's TAHC ended as of 1/21/12.

B.) The 2012 cost of the TAHC extensions is estimated to be \$1,388, comprised of \$1,123 (salary), \$86 (soc security) and \$179 (active fringe).

C.) The additional costs will be assumed with BHD's existing budget for salaries.

D.) The analysis assumes extensions totaling 140 working days. The analysis utilizes the 2012 active fringe rate (pension only).

Department/Prepared By Maggie Mesaros, Fiscal and Management Analyst

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 14) From the Director, Department of Human Resources, requesting authorization to retroactively extend the Temporary Assignment to a Higher Classification (TAHC) for Kim Brooks who previously served in the position of Information and Outreach Coordinator in the Behavioral Health Division, Department of Health and Human Services, until December 9, 2011, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Temporary Assignments to a Higher Classification (TAHCs) are authorized for represented employees pursuant to Milwaukee County Code of General Ordinance 17.085; and

WHEREAS, Milwaukee County Ordinance 17.085 states that employees in the classified and unclassified service may receive a temporary assignment to a vacant unclassified position for ninety (90) days or less with one (1) extension of ninety (90) days or less with the extension provision pursuant to approval by the Human Resources Director; and

WHEREAS, Milwaukee County Ordinance 17.085 states that any further extensions must be approved by the County Board; and

WHEREAS, Kim Brooks served in the position of Information and Outreach Coordinator since May 3, 2011; and

WHEREAS, it is necessary to retroactively extend Kim Brooks' TAHC since she assisted with many key functions, including production of the BHD employee newsletter within the Administrator's Office at BHD for a significant amount of time; now, therefore,

BE IT RESOLVED, that Kim Brooks shall be retroactively approved for a Temporary Assignment to a Higher Classification as the Information and Outreach Coordinator through December 9, 2011.

jl
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/15/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Proposed Resolution Regarding Extension of Kim Brooks' TAHC Assignment

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	5,874	
	Revenue	0	
	Net Cost	5,874	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

2012 FEB 22 AM 9:12

MILWAUKEE COUNTY
DEPARTMENT OF HUMAN RESOURCES

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A.) Ms. Brooks served in a TAHC for the position of Information and Outreach Coordinator since May 3, 2011, per the approval of the Interim Director of Human Resources at that time. Due to the transition within the Behavioral Health Division's (BHD) human resources area, this TAHC was inadvertently never requested for additional extensions after July 1, 2011. Ms. Brooks' TAHC ended as of 12/10/11.

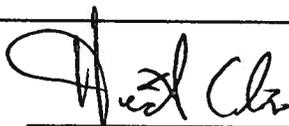
B.) The cost of the TAHC extensions is estimated to be \$5,874, comprised of \$4,753 (salary), \$364 (soc security) and \$757 (active fringe).

C.) The additional costs will be assumed with BHD's existing budget for salaries.

D.) The analysis assumes extensions totaling 115 working days. The analysis utilizes the 2012 active fringe rate (pension only).

Department/Prepared By Maggie Mesaros, Fiscal and Management Analyst

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 15) From the Director, Department of Human Resources, requesting authorization to incorporate AFSCME Collective Bargaining Agreement provisions into and amend various sections of the Milwaukee County Code of General Ordinances that pertain to compensation and fringe benefits, by recommending adoption of the following:

A RESOLUTION/ORDINANCE

WHEREAS, 2011 Wis. Act 10 and other state laws have resulted in collective bargaining for most county employee unions limited to base wages; and

WHEREAS, collective bargaining agreements with non-public safety employees have contained numerous compensation and fringe benefit provisions that have been agreed to by Milwaukee County with the respective unions and have been adhered to for many years; and

WHEREAS, Milwaukee County has enacted some ordinance amendments containing policies related to some compensation and fringe benefits of union members, but that Milwaukee County has not yet reviewed and enacted policies with respect to all compensation and fringe benefit subjects covered by the AFSCME 2007-08 collective bargaining agreement; and

WHEREAS, continuation of longstanding compensation and fringe benefit policies will avoid administrative and employee upheaval and confusion; and

WHEREAS, as a result of adoption of these amendments, all financial subjects covered by the AFSCME 2007-08 collective bargaining agreement will be addressed in the ordinances; and

WHEREAS, at its meeting on March 8, 2012, the Committee on Finance and Audit made no recommendation as a result of a tie vote on a motion to approve (vote 3-3); and

WHEREAS, at its meeting on March 9, 2012, the Committee on Personnel recommended approval of the Director of Human Resources' request (vote 4-3); now, therefore,

BE IT RESOLVED, that Milwaukee County will no longer honor any provision of any collective bargaining agreement with AFSCME, and

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors hereby amends Sections 17.015, 17.055, 17.085, 17.14, 17.165, 17.17, 17.172, 17.176, 201.24(2.8), 201.24(4.1), 201.24(5.1), 201.24(5.15), and 201.24(5.16) of the Milwaukee County Code of General Ordinances by adopting the following:

46 AN ORDINANCE
47

48 The County Board of Supervisors of the County of Milwaukee does ordain as
49 follows:
50

51 Section 1. Section 17.015 is repealed in its entirety as follows:
52

53 ~~17.015. Continuation of certain compensation and fringe benefits for former members of~~
54 ~~AFSCME~~

55 (1) ~~— This ordinance is effective upon the decertification by the Wisconsin Employment~~
56 ~~Relations Commission, pursuant to ERC 73.01, 73.03(7)(b) and any other applicable~~
57 ~~provision of the Wisconsin Administrative Code, of the American Federation of State,~~
58 ~~County and Municipal Employees (AFSCME) as a collective bargaining unit and as the~~
59 ~~bargaining representative for its members.~~
60

61 (2) ~~— Notwithstanding any provision of these ordinances to the contrary, for employees~~
62 ~~who were represented by AFSCME as of January 30, 2012, all provisions of the 2007-08~~
63 ~~collective bargaining agreement between AFSCME and Milwaukee County are adopted by~~
64 ~~reference and incorporated herein, except as set forth in the following paragraph, until~~
65 ~~such time that the County Board of Supervisors and the County Executive can consider~~
66 ~~other action~~
67

68 (3) ~~— The following sections of the AFSCME 2007-08 Collective Bargaining Agreement~~
69 ~~have already been addressed, as noted parenthetically below, by the County Board and~~
70 ~~County Executive, and therefore, are not incorporated herein and are excepted from the~~
71 ~~provisions of the preceding paragraph:~~

72 ~~— (a) — 2.03 Salary Increment (M.C.O. 17.10)~~
73

74 ~~(b) — 2.04 Overtime (M.C.O. 17.16)~~
75

76 ~~(c) — 2.14 Auto Allowance (M.C.O. 5.06)~~
77

78 ~~(d) — 2.16 Contribution to Retirement System (M.C.O. Chapter 201.24 (3.11)~~
79 ~~Employee Contribution, (3.3) Employee Membership Accounts, (3.5)~~
80 ~~Refunds, upon severance or death)~~
81

82 ~~(e) — 2.17(1)(b)(c) and (d), and 2.17(2) Retirement Benefits (M.C.O. Chapter~~
83 ~~201.24 (2.18) Normal Retirement Age, (4.1) Normal Retirement, (5.1)~~
84 ~~Normal Pension)~~
85

86 ~~(f) — 2.17(8) Sick Allowance Balance on Retirement, upon adoption of resolution~~
87 ~~11-20 (M.C.O. 17.184).~~
88

89 ~~(g) — 2.18 Life Insurance (M.C.O. Chapter 62 Life Insurance)~~

- 90 (h) ~~2.19 Employee Health Insurance (M.C.O. 17.14 (7) Milwaukee County~~
- 91 ~~Group Health Benefit Program)~~
- 92
- 93 (i) ~~2.192 Dental Insurance (M.C.O. 17.14 (9) County Dental Benefit Plan)~~
- 94
- 95 (j) ~~3.02 Full Time Representative~~
- 96
- 97 (k) ~~3.15 Fair Share Agreement (Wisconsin Act 10 and Act 32, no longer allow~~
- 98 ~~for the collection of union dues on bargaining agreements that have expired.)~~
- 99
- 100 (l) ~~3.16 Voluntary Political Contributions (halted as a result of Act 10 and Act~~
- 101 ~~32)~~
- 102
- 103 (m) ~~4.01 Resolution of Disputes, 4.02 Grievance Procedure, 4.05 Selection of and~~
- 104 ~~Appeals to Umpire and 4.06 Disciplinary Suspensions not Appealable under~~
- 105 ~~S. 63.10, Wis. Stats. (Civil Service Rules, M.C.O. 17.207 and Wis. Stats.~~
- 106 ~~63.10)~~

107

108 **Section 2.** Section 17.055 of the General Ordinances of Milwaukee County is amended as

109 follows:

110

111 17.055. - Reallocation of existing non-represented classifications, with the exception of

112 elected officials and constitutional officers and reallocation of existing represented

113 classifications where not provided for, or provided differently, in an applicable collective

114 bargaining agreement.

115

116 Whenever labor market conditions or other factors indicate that compensation for existing

117 classifications is not sufficient to recruit and retain qualified employees a department head

118 or appointing authority may request the director of human resources to review the

119 compensation provided for the classification:

120

121 (1) The director of human resources shall review the request and inform the requestor of

122 his/her findings. All recommendations of the director to reallocate a non-represented

123 classification or a represented classification where not provided for, or provided

124 differently, in an applicable collective bargaining agreement shall be included in a report

125 distributed to all county board supervisors. In the event the requestor does not concur

126 with the director's recommendation it may be appealed to the committee on personnel

127 within thirty (30) days of receipt of such notice. The decision of the county board on the

128 committee recommendation, subject to review by the county executive, shall be final. In

129 the event the county board approves an adjustment in the level of compensation for a

130 classification the action shall be implemented the first day of the pay period following

131 that in which the resolution adopted by the county board is approved by the county

132 executive.

133

134 **Section 3.** The introduction to Section 17.085 and 17.085(4) of the General Ordinances
135 of Milwaukee County are amended as follows:

136

137 17.085. Temporary Assignment to a Higher Classification. ~~Non-represented~~ Employees
138 may be assigned to perform the duties of a position in a higher classification and shall be
139 paid as though promoted to the higher classification under the following conditions:

140 (4) ~~This section shall not apply to positions represented~~ covered by certified bargaining
141 representatives a collective bargaining unit unless provided for, or provided differently, in
142 an applicable collective bargaining agreement.

143

144 **Section 4.** Section 17.14(2) of the General Ordinances of Milwaukee County is repealed in
145 its entirety and re-created as follows:

146

147 (2) ~~Payment for part-time employment.~~

148 ~~(a) Whenever necessary to maintain essential services, one (1) or more employees~~
149 ~~may be assigned to any full-time position on a part-time basis and, when performing part-~~
150 ~~time services, they shall be paid on an hourly basis determined by dividing the biweekly~~
151 ~~rate by eighty (80). The total of the designated workweek hours for the employees so~~
152 ~~assigned to any full-time position shall not exceed forty (40) hours.~~

153 ~~(b) Whenever necessary to engage employees for seasonal work in the parks, such~~
154 ~~employees may be paid on an hourly basis equivalent to the biweekly compensation~~
155 ~~divided by eighty (80), provided that the total annual hours of employment shall not~~
156 ~~exceed two thousand eighty (2,080) and provided further that they shall receive~~
157 ~~increments in the compensation range after the completion of employment totaling two~~
158 ~~thousand eighty (2,080) hours until the maximum salary is reached.~~

159 ~~(c) In specified part-time positions, the department head and the commission may~~
160 ~~recommend to the county board the proportion of the full-time compensation which shall~~
161 ~~be paid for such service and the county board shall determine the proportion to be paid.~~

162 (a) A "part-time" employee shall mean an employee who is appointed to a
163 position with a designated work week of at least twenty (20) hours per week, but less than
164 forty (40) hours per week.

165 (b) An "hourly" employee shall mean an employee who is employed in a position
166 with a designated work week of less than twenty (20) hours per week, or who does not
167 work a uniform period of time within each pay period or who works a uniform period of
168 time of less than twenty (20) hours per week. Hourly employees shall have no expectation
169 of any number of hours of work in any given week or at any time.

170

171 **Section 5.** Section 17.14(6) of the General Ordinances of Milwaukee County is amended
172 as follows:

173

174 (6) Extra payment for shift assignment. Employees in the classified service, including those
175 in the building and mechanical trades group in section 17.32(2)(c), except part-time and
176 seasonal employees, employees paid on an hourly or per call basis; ~~E,~~ employees in title
177 codes 347, 352, 352.6, 353, 356, 357, 358, 359, 360, 361.2, 361.5, 361.7, 362.1, 371.5,

178 372, 375, 376, 377, 378, 615, 616, 617, 618, 618.1, 642, 642.1, and 742, employees in
179 the executive compensation plan and employees in pay range 30M or above, shall receive
180 a shift differential of ~~thirty five cents (\$0.35)~~ forty cents (\$0.40) per hour for all hours
181 worked during shifts beginning at or after 2:30 p.m. and ending at or before 7:15 a.m.,
182 unless otherwise as may be provided for in collective bargaining unit agreements. Any non-
183 represented supervisory nursing or laboratory employee who supervises employees
184 represented by the Federation of Nurses and Health Professionals, shall receive the same
185 extra payment for shift assignment as do employees covered by the Federation of Nurses
186 and Health Professionals collective bargaining agreement. Employees, whose shifts do not
187 begin or end as indicated above are to be paid ~~thirty five cents (\$0.35)~~ forty cents (\$0.40)
188 per hour for all hours worked between 6:00 p.m. and 7:00 a.m. However, no shift
189 differential payment shall be made for any fraction less than ~~one-half~~ one-tenth (1/10) hour
190 worked, and said ~~thirty five cents (\$0.35)~~ forty cents (\$0.40) per hour shall not be
191 considered as part of the salary for purposes of computing vacation, sick leave or holiday
192 rates of pay. Shift differential shall be paid at \$.40 per hour even when hours qualify for
193 overtime compensation.

194

195 **Section 6.** Section 17.14(7) of the General Ordinances of Milwaukee County is amended
196 as follows:

197

198 (bb) The provisions of C.G.O. 17.14(7) shall not apply to seasonal and hourly employees.
199 An ~~h~~Hourly employee shall have the same meaning as defined in C.G.O. 17.14(2)(b). ~~be~~
200 ~~considered to be one who does not work a uniform period of time within each pay period~~
201 ~~and shall include an employee who works a uniform period of time of less than twenty (20)~~
202 ~~hours per week.~~

203

204 **Section 7.** Section 17.14(10) of the General Ordinances of Milwaukee County is amended
205 as follows:

206

207 (a) Employees who are required to wear uniforms shall be allowed uniform ~~allowances~~
208 reimbursements as follows:

209

210 (1) Deputy sheriff lieutenants, deputy sheriff captains, deputy sheriff deputy
211 inspector, communications supervisor (sheriff's department), director/internal affairs,
212 identification bureau supervisor, investigator (exempt), and chief investigator
213 (exempt) shall be paid an annual clothing ~~allowance~~ reimbursement equal to the
214 amount paid to deputy sheriff I's and II's and deputy sheriff sergeants.

214

215 (2) ~~Museum security officer III shall be provided the full initial issue of required~~
216 ~~uniforms, plus an annual allowance equal to that of museum security officers I and~~
217 ~~II, to be paid on a monthly basis for each calendar month in which they perform~~
218 ~~services requiring the wearing of a complete uniform.~~

218

219 (3)(2) The airport fire chief and assistant airport fire chief shall be furnished a full
220 uniform at the time of hire or as soon thereafter as practicable if no uniform had
221 previously been issued. The uniform so furnished shall be in accordance with the
regulations of the department setting forth prescribed minimum equipment for each

222 employee. Any employee whose employment is terminated within two (2) years
223 from the date of hire shall return all uniform items furnished by the county to the
224 department within seven (7) days of termination. After completion of one (1) year of
225 service, after obtaining authorized uniform, an annual clothing allowance
226 reimbursement equal to the amount paid firefighter and equipment operators and
227 firefighter and equipment operators in charge shall be paid.
228 ~~(4)~~(3) Custodial workers I and II at the airport who are employed on a full-time basis
229 and who are required to wear a uniform shall be paid a uniform allowance
230 reimbursement as institutional employees after six (6) months of service and at the
231 completion of each year of service thereafter.
232 ~~(5)~~(4) Institutional employees, medical interns, resident physicians, and LPNs who
233 are employed on a full-time basis and who are required to wear a uniform, except
234 those who receive some type of uniform allowance reimbursement under paragraph
235 (a) hereof, shall be paid a uniform allowance reimbursement of one hundred ten
236 dollars (\$110.00) after six (6) months of service and at the completion of each year
237 of service thereafter.
238 ~~(6)~~(5) Cooks and bakers may have their uniforms laundered at an institutional
239 laundry without charge.
240 ~~(7)~~(6) Any non-represented supervisory nursing or supervisory laboratory
241 employee, who is required to wear a uniform and who supervises employees
242 represented by the Federation of Nurses and Health Professionals shall receive the
243 same payment for uniform allowance reimbursement as may be provided for in the
244 Federation of Nurses and Health Professionals collective bargaining agreement.
245 ~~(8)~~(7) Any represented employee required to wear a uniform may receive such
246 uniform and/or payment of uniform allowance reimbursement as may be provided
247 for by the respective collective bargaining agreements.
248 ~~(9)~~(8) Any employee required to carry firearms shall be furnished with such firearm
249 by the county, provided that this firearm shall remain the property of the county and
250 be returned when the employee leaves the county service or is no longer required
251 to carry such firearm.
252 ~~(10)(a) 2. Museum security officer III shall be provided the full initial issue of~~
253 ~~required uniforms, plus an annual allowance equal to that of museum security~~
254 ~~officers I and II, to be paid on a monthly basis for each calendar month in which~~
255 ~~they perform services requiring the wearing of a complete uniform.~~
256
257 (9) At time of regular appointment, Corrections Officers will be provided with a
258 fully issued uniform. Corrections Officers shall be reimbursed up to \$200.00 per
259 calendar year for the purchase of uniforms in accordance with this section.
260 (10) Welders, Forestry Workers II, Iron Workers, Forestry Supervisors and Iron
261 Worker Supervisors shall be reimbursed up to \$70 per calendar year for the
262 purchase of specialized safety shoes in accordance with the provisions of this
263 section. All Forestry Workers shall receive up to \$15 per calendar year for rubber
264 over boots in accordance with the provisions of this section.

265 (11) Forensic Investigators shall be reimbursed up to \$150 per calendar year for
266 clothing cleaning in accordance with the provisions of this section.

267
268 (12). Airport management will provide coveralls at no cost to the employees in the
269 classification of Heating and Ventilating Mechanic I while working on the ducts.

270
271 (13) The County shall furnish a T-shirt to Children's Zoo Attendants.

272
273 (14) Parks Department employees required to wear uniforms shall be provided with
274 such uniform furnished by the Department of Parks, Recreation and Culture.

275
276 ~~(b) The annual allowances to be paid on a monthly basis provided by subsection (a) shall~~
277 ~~be paid as of December 1 of each year for all months since the previous allowance was~~
278 ~~made provided that no new appointee shall receive this annual payment until December 1~~
279 ~~following the completion of one (1) year of service and then only for the number of months~~
280 ~~occurring since the completion of one (1) year of service. Employees appointed to a~~
281 ~~regular appointment and issued a uniform at time of appointment shall not be eligible for~~
282 ~~reimbursement under subsection (a) until the following calendar year unless otherwise~~
283 ~~specified. Employees considered hourly or part-time shall not be eligible for~~
284 ~~reimbursement under subsection (a) until the completion of two-thousand eighty hours~~
285 ~~(2080). All employees eligible for reimbursement provided for under subsection (a) shall~~
286 ~~be paid upon the employee furnishing a receipt from a vendor which indicates the type of~~
287 ~~clothing or expense and a purchase date in the same calendar year for which the employee~~
288 ~~is seeking reimbursement. No employee shall receive reimbursement beyond the~~
289 ~~maximum amount provided for per calendar year in subsection (a).~~

290
291 (c) The initial uniform allowance reimbursement provided by this paragraph shall not be
292 granted to employees on temporary or emergency appointments, but the institutions and
293 departments concerned may purchase and have available for loan to such employees
294 whatever minimum uniforms are required.

295
296 **Section 7.** Section 17.14(15) of the General Ordinances of Milwaukee County is amended
297 as follows:

298
299 *Salary reduction for the purpose of paying work-related dependent expenses with pre-tax*
300 *dollars. Salary reduction for the purpose of paying work-related dependent expenses with*
301 *pre-tax dollars. Employees who are not represented by collective bargaining units, or*
302 *represented employees where not provided for, or provided differently, in an applicable*
303 *collective bargaining agreement, shall be eligible to enroll in a salary reduction program for*
304 *the purpose of paying work-related dependent care expenses with pre-tax dollars in*
305 *accordance with federal and state regulations. Employees who are represented by a*
306 *collective bargaining unit shall be eligible to take part in this program only if such*
307 *participation is authorized in their collective bargaining agreement.*
308

309 **Section 8.** Section 17.14(19) of the General Ordinances of Milwaukee County is repealed
310 in its entirety and re-created as follows:

311

312 (19) Standby pay. The district attorney's chief investigator and investigators shall be paid
313 standby pay equal to the amount paid to deputy sheriffs. Employees not exempt from the
314 Fair Labor Standards Act (FLSA) shall receive sixty (60) cents per hour for all hours
315 scheduled on standby duty. For purposes of this section, "standby" shall mean the
316 employee, at the direction of the employer, is required to be available for work upon
317 notice during a specified period of time. Standby shall not apply to any employee or
318 group of employees who, as part of their regular duty assignment are expected, but not
319 required, to be available for work at all times in emergency situations. Failure of the
320 employee to respond when called shall be cause for forfeiture of standby pay and
321 disciplinary action where the employee is unable to furnish acceptable justification for
322 his/her failure to respond.

323

324 (a) If called in while on standby, the employee shall be paid a minimum
325 of 3 hours pay at the employee's regular rate for work in one session and additional
326 pay at the overtime rate when such hours exceed forty (40) hours worked in the
327 week.

328

329 (b) The district attorney's chief investigator and investigators shall be paid
330 standby pay equal to the amount paid to deputy sheriffs.

331

332 **Section 9.** Section 17.14(21) of the General Ordinances of Milwaukee County is created as
333 follows:

334

335 (21). Call-in Pay. An employee not exempt from the Fair Labor Standards Act (FLSA)
336 called in to work outside of the employee's regularly scheduled shift shall be paid a
337 minimum of three (3) hours pay at the regular rate for work in one session and additional
338 pay at the overtime rate when such hours exceed 40 hours worked in the week. Call in
339 pay shall not apply to hours worked outside of an employee's regularly scheduled shift
340 where the regular shift starting time is modified to meet emergency situations.

341

342 **Section 10.** Section 17.14(22) of the General Ordinances of Milwaukee County is created
343 as follows:

344

345 (22) Tool Reimbursement. Employees in the classifications of Automotive & Equipment
346 Mechanic, Automotive & Equipment Service Tech and Automotive & Equipment Service
347 Tech In-Charge shall be eligible for reimbursement up to one-hundred dollars (\$100) per
348 calendar year for tools used to perform daily tasks. Employees appointed to a regular
349 appointment during a calendar year shall not be eligible for a tool allowance until the
350 following calendar year. Employees considered hourly or part-time shall not be eligible for
351 reimbursement until the completion of two-thousand eighty hours (2080). All employees
352 eligible for reimbursement provided for under this section shall be paid upon the employee
353 furnishing a receipt from a vendor which explicitly indicates the type of tool purchased and

354 a purchase date in the same calendar year for which the employee is seeking
355 reimbursement. No employee shall receive reimbursement beyond the maximum amount
356 provided for per calendar year.

357
358 **Section 11.** Section 17.14(24) of the General Ordinances of Milwaukee County is created
359 as follows:

360
361 (24) Rollback and wrecker equipment operators. All CAMD personnel operating rollback
362 and wrecker equipment shall receive a differential of \$0.50 per hour for all hours spent
363 operating the equipment. This differential shall be paid at \$.50 per hour even when hours
364 qualify for overtime compensation.

365
366 **Section 12.** Section 17.165 of the General Ordinances of Milwaukee County is amended
367 as follows:

368
369 Weekend Shift Differential. Employees in the classified service, including those in the
370 building and mechanical trades group in section 17.32(2)(c), except part-time and seasonal
371 employees, employees paid on an hourly or per call basis, other than registered nurses
372 paid on an hourly or part-time basis, senior citizen program instructors, and employees in
373 title codes 347, 352, 352.6, 353, 356, 357, 358, 359, 360, 361.2, 361.5, 361.7, 362.1,
374 371.5, 372, 375, 376, 377, 378, 615, 616, 617, 618, 618.1, 642, 642.1 and 742, shall be
375 paid a weekend differential of ~~thirty five cents (\$0.35)~~ forty cents (\$0.40) per hour or as
376 otherwise may be provided for by collective bargaining agreements for all hours worked
377 between 6:30 a.m. Saturday and ending at or before 7:15 a.m. Monday, or as otherwise
378 provided for by collective bargaining agreements. This weekend differential shall not be
379 applicable to employees in the executive compensation plan or to employees in pay range
380 30 or above except those who are covered by weekend differential in a labor agreement.
381 Weekend differential, when earned, shall not be added to the employee's regular rate for
382 purposes of determining vacation, sick leave, or holiday rates of pay. Weekend shift
383 differential shall be paid at \$.40 per hour even when hours qualify for overtime
384 compensation.

385
386 **Section 13.** Section 17.17 of the General Ordinances of Milwaukee County is amended as
387 follows:

388
389 (1) (a) The heads of all departments, bureaus, institutions, boards or commissions shall
390 make provision for, designate, and allow annual leaves with pay to serve as vacation
391 equivalent to eighty (80) hours for each employee who has completed one (1) year or more
392 of service, unless as otherwise may be provided for by collective bargaining agreements;
393 one hundred twenty (120) hours for each employee who has completed five (5) years or
394 more of service; one hundred sixty (160) hours for each employee who has completed ten
395 (10) years or more of service; two hundred (200) hours for each employee who has
396 completed twenty (20) years or more of service; firefighter and equipment operators,
397 employees paid on an hourly or per diem basis who customarily work less than forty (40)
398 hours per week or two thousand eighty (2080) hours per annum, employees paid on a per

399 call or clinic hourly basis, and part-time employees paid on a biweekly basis whose
400 services are required less than half-time, unless as otherwise provided for by collective
401 bargaining agreements; firefighter and equipment operators shall be allowed annual leave
402 with pay to serve as vacation as follows: five (5) work days for each employee who has
403 completed one (1) year or more of service, seven (7) work days for each employee who has
404 completed five (5) years or more of service, ten (10) work days for each employee who has
405 completed ten (10) years or more of service, and twelve (12) work days for each employee
406 who has completed twenty (20) years or more of service.

407 (b) During the first year of employment, or in a return to service, an employee
408 will be granted a proportional share of their hours of vacation entitlement based on the
409 number of full calendar months remaining in the calendar year in which the employee was
410 first hired or in which the employee was rehired, divided by twelve (12) and rounded up to
411 the nearest whole hour, and shall be granted their full vacation entitlement on January 1 of
412 the calendar year after being hired or rehired by the County.

413 (c) Except where not provided for, or provided differently, in an applicable
414 collective bargaining agreement, YYears of service for a new ~~non-represented~~ employee, or
415 ~~non-represented~~-employee returning to service, who was not discharged or involuntarily
416 separated from the County, shall include any creditable pension service earned with
417 Milwaukee County, the State of Wisconsin or any municipality within the State of
418 Wisconsin.

419 (d) An employee shall not receive payment for unused vacation credit upon any
420 termination of employment, including, but not limited to, a retirement, unless the
421 employee has served 2080 hours after the employee's initial date of hire or rehire.
422 Effective in 2002 all non-represented-employees, unless not provided for, pr provided
423 differently, in an applicable collective bargaining agreement, shall be eligible for five (5)
424 weeks of vacation (two hundred (200) hours) after fifteen (15) years of service and six (6)
425 weeks of vacation (two hundred forty (240) hours) after twenty (20) years of service.

426 (e) An employee, who was terminated or laid off from the County, and who
427 received a payout of accrued vacation leave, and who returns to employment in the same
428 calendar year as the termination or layoff, shall not be entitled to any additional vacation
429 leave in that calendar year, unless the employee repays to the County the dollar value of
430 the vacation leave paid out following the termination or layoff.

431
432 (2) Effective January 1, 2013beginning with carry-over from 2012 to 2013, an employee
433 may not carry over beyond the end of any calendar year any more than seven days (56
434 hours) of unused vacation leave. Departments may request to carry over hours in excess of
435 56 hours for any employee by submitting a request to the Director of Human Resources
436 and must include in the request the written rationale for the request, the reason the
437 department limited the use of vacation by the employee, and any other information
438 requested by the Director. The Director shall have discretion to approve or deny such
439 requests. All vacation leave previously credited to the employee in excess of seven days
440 that has not been used prior to the end of the calendar year and that has not been approved
441 by the Director for carry over shall be forfeited.

442 (3) The following days of each year are holidays: January 1, the third Monday in February,
443 the last Monday in May, July 4, November 11, the fourth Thursday in November,

444 December 25, the day appointed by the governor as Labor Day, and the day of holding the
445 general election in November, unless as otherwise may be provided for by collective
446 bargaining agreements; county department, offices, and institutions may be closed on these
447 holidays: January 1, the last Monday in May, July 4, the first Monday in September, the
448 fourth Thursday in November, and December 25. Effective in 2002 the Friday after the
449 fourth Thursday in November shall be a holiday for non-represented employees and
450 represented employees who are represented by a collective bargaining unit, unless not
451 provided for, or provided differently, in an applicable collective bargaining agreement
452 ~~which has agreed to this provision.~~ All county departments, offices and institutions shall be
453 open to the public for business on all other statutory holidays. All employees, including
454 those in the building and mechanical trades group in section 17.32(2)(c), except employees
455 paid on an hourly or per diem basis and firefighter and equipment operators who receive
456 off days in lieu of holidays, shall be granted leave with pay on these days, provided that if
457 an employee is required to work on such days because of the needs of the service, he shall
458 be given equivalent time off or shall receive additional compensation, if such
459 compensation is authorized by the provisions of subsection 17.16(5). Firefighter and
460 equipment operators, who receive seven (7) off days in lieu of all holidays, shall be granted
461 such off days during their first calendar year of employment as provided for in their
462 collective bargaining agreements.

463

464 (4) (a) A holiday falling on a Saturday shall be observed on the preceding scheduled
465 workday and a holiday falling on a Sunday shall be observed on the following scheduled
466 workday, except in the seven-day service where the present system of accruing and
467 exhausting holidays shall remain in effect. This provision shall not apply to employees
468 represented by certified bargaining representation.

469

470 (5) For all employees, unless not provided for, or provided differently, in an applicable
471 collective bargaining agreement, not represented by certified bargaining unit
472 ~~representatives, beginning in January, 1988 and every year thereafter,~~ the third Monday in
473 January will be observed as a holiday. All county departments, offices, and institutions shall
474 be open to the public for business on this holiday.

475

476 (6) ~~For e~~Employees, unless not provided for, or provided differently, in an applicable
477 collective bargaining agreement, not covered by a collective bargaining agreement,
478 ~~beginning in 1997,~~ employees with an assigned work week of forty (40) hours who use no
479 sick allowance and take no time without pay during the year, shall receive eight (8) hours
480 of holiday time which may be used in the subsequent year. Use of excused time, including
481 excused time used for medical appointments or bereavement leave, shall not be considered
482 as sick allowance under this section.

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Section 14. Section 17.172 of the General Ordinances of Milwaukee County is amended as follows:

Employees entitled to holidays, except firefighters and equipment operators shall receive three (3) days leave per year known as "personal days" in addition to earned leave by reason of vacation, accrued holidays and compensatory time. Employees shall accrue personal days during their first calendar year of employment as follows:

Hired on or before April 30	-three days
From May 1 through August 31	-two days
From September 1 and thereafter	-one day

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Personal days may be liquidated in accordance with civil service rule VIII, section 3(2)(b) relating to liquidation of compensatory time, except that such days may be taken at any time during the calendar year. Supervisory personnel shall make every reasonable effort to allow employees to make use of personal days as employees see fit, it being understood that the purpose of such leave is to permit employees to be absent from duty for reasons which are not justification for absence under other existing rules relating to leave with pay.

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An employee, who was terminated or laid off from the County, and who received a payout of accrued personal days, and who returns to employment in the same calendar year as the termination or layoff, shall not be entitled to any additional personal days in that calendar year, unless the employee repays to the County the dollar value of the personal days paid out following the termination or layoff.

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Section 15. Section 17.176 of the General Ordinances of Milwaukee County is amended as follows:

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Employees are allowed to request voluntary time off without pay, subject to the approval of the director of human resources. The appropriate appointing authority may recommend that the director of human resources approve or deny such requests, based upon workload, staffing requirements, budgetary constraints and other factors which are pertinent to the respective department. Employees shall not lose any benefits as a result of taking a voluntary time off without pay, including postponement of salary increments, continuation of insurance benefits, seniority and accrual of holiday time, sick allowance and vacation. No employee shall be allowed to take more than one hundred sixty (160) voluntary hours without pay in a calendar year and the position may not be filled during the employee's absence. ~~This section shall not apply to employees who are represented by collective bargaining units unless it is incorporated into the respective collective bargaining agreement.~~ This section shall not apply to represented employees where not provided for, or provided differently, in an applicable collective bargaining agreement.

525

526 **Section 16.** Section 17.182 of the General Ordinances of Milwaukee County is amended
527 as follows:

528

529 (1) Any employee employed as a ~~lifeguard III, lifeguard supervisor, or food service~~
530 ~~operator (seasonal), part-time, seasonal or hourly employee~~ who works one thousand forty
531 (1,040) or more hours per calendar year shall accrue vacation, sick leave, and personal
532 days on a pro rata basis. At the end of calendar year 1981 and each year thereafter, such
533 employees who work one thousand forty (1,040) or more hours during calendar year 1981
534 and each year thereafter shall be credited with accrued accounts based on the number of
535 hours worked in the preceding year. Such account other than sick leave must be exhausted
536 in the calendar year following that in which they were accrued. Such employees shall not
537 be laid off for the purpose of avoiding the accrual of pro rata benefits.

538

539 (2) Employees in the classified service except (a) those represented by a certified
540 bargaining unit, (b) part-time employees, (bc) seasonal employees, (ed) employees paid on
541 a per call basis, (de) athletic officials, or (ef) employees in a position allocated to pay range
542 30M or greater; and employees appointed to non-civil-service offices and positions except
543 (a) those represented by a certified collective bargaining unit, (b) elected officials and their
544 deputies, (c) all members of boards and commission, ~~and~~ (d) all interns, students and
545 trainees who work five hundred (500) or more hours per calendar year, and (e) hourly
546 employees shall accrue vacation, sick leave, holiday time and personal days on a pro rata
547 basis. Any such employee as previously defined who worked five hundred (500) or more
548 hours during calendar year 1986 and each year thereafter shall be credited with accrued
549 accounts based on the number of hours worked in the preceding year. Such account other
550 than sick leave must be exhausted in the calendar year following that in which they were
551 accrued. Such employees shall not be laid off for the purpose of avoiding the accrual of pro
552 rata benefits. In no event shall an employee receiving pro-rata benefits, after being
553 appointed to a full-time position, accrue, through a combination of pro-rata and full-time
554 benefits, more benefits in one-year than a full-time employee.

555

556 **Section 17.** Section 201.24(2.8) of the General Ordinances of Milwaukee County is
557 amended as follows:

558

559 **2.8 Final Average Salary.**

560

561 (1) Final average salary for a member whose continuous membership began prior to
562 January 1, 1982, means the average annual earnable compensation for the three (3)
563 consecutive years of service during which the member's earnable compensation was the
564 highest, or, if he should have less than three (3) years of service, then his/her average
565 annual earnable compensation during such period of service. Final average salary for a
566 member whose continuous membership began after January 1, 1982, means the average
567 annual earnable compensation for the five (5) consecutive years of service during which
568 the member's earnable compensation was the highest, or, if he should have less than five
569 (5) years of service, then his/her average annual earnable compensation during such period

570 of service. However, when a member is employed by the state but paid partly by the
571 county, his/her final average salary with respect to any period of employment solely by the
572 county shall be the average earnable compensation for the three (3) or five (5) consecutive
573 years respectively of such service during which his/her earnable compensation was the
574 highest.

575

576 (a) For the following members, ~~non-represented employees whose continuous~~
577 ~~membership in the employee retirement system begins on or after September 1, 1985,~~ the
578 final average salary shall be based solely on the total straight time hours paid, excluding
579 any overtime hours paid; ~~for the five (5) consecutive years of service during which the~~
580 ~~employee's earnable compensation was the highest, or, if he/she should have less than five~~
581 ~~(5) years of service then his/her average straight time hours paid, excluding any overtime~~
582 ~~hours paid, during such period of service.~~

583

(1) non-represented employees whose continuous membership in the employee retirement system begins on or after September 1, 1985,

584

(2) members represented on September 29, 2011 by the American Federation of State, County and Municipal Employees or by the Milwaukee Building and Construction Trades Council whose membership began on or after October 30, 1987,

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(3) members represented on September 29, 2011 by the Association of Milwaukee County Attorneys, or by the International Association of Machinists Technicians, Engineers and Architects of Milwaukee County whose membership began on or after January 1, 1986,

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(4) members represented on September 29, 2011 by the Federation of Nurses and Health Professionals whose membership began on or after January 1, 1987,

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(5) members represented on September 29, 2011 by the Milwaukee County Firefighters Association and whose membership began on or after January 1, 1985 and prior to January 1, 2003, and

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(6) members represented on September 29, 2011 by the Milwaukee Deputy Sheriffs Association whose membership began on or after November 12, 1987.

598

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600

601 (b) For ~~non-represented employees, and employees represented by a collective bargaining~~
602 ~~unit which has agreed to~~ covered by the provisions of 5.15, final average salary shall
603 include the retention incentive bonus authorized in section 5.15. Final average salary shall
604 not include any payments for accrued sick allowance received by the member at the time
605 of retirement under 17.184 nor shall final average salary include any back drop pension
606 benefit payment received by the member under section 5.16

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(c) ~~For non-represented employees, and employees represented by a collective bargaining unit which has agreed to this provision,~~ effective January 1, 2003 final average salary shall mean the average annual earnable compensation for the three (3) consecutive years of service during which the member's earnable compensation was the highest, or, if he/she should have less than three (3) years of service, then his/her average annual earnable compensation during such period of service. This paragraph shall not apply to a deputy sheriff represented by the Milwaukee Deputy Sheriffs Association at the time of retirement

615 or to a member who was formerly a represented deputy sheriff who was appointed to a
616 non-represented position effective after June 30, 2009.

617

618 **Section 18.** Section 201.24(4.1) of the General Ordinances of Milwaukee County is
619 amended as follows:

620

621 **Section 4.1. Normal retirement.**

622

623 (1) (a) A member shall be eligible for a normal pension if his employment is
624 terminated on or after he has attained age fifty-five (55) and has completed thirty
625 (30) years of service, or if his employment is terminated on or after he has
626 attained normal retirement age as defined in section 2.18. Deputy sheriffs shall
627 be eligible to retire at age fifty-seven (57) regardless of their number of years of
628 service or at age fifty-five (55) with at least fifteen (15) years of creditable
629 pension service.

630

631 (b) Notwithstanding the provisions of subparagraph (a), a member of the
632 International Association of Machinists and Aerospace Workers whose initial
633 membership date is before January 1, 2012 shall not be eligible for a normal
634 pension until the member has attained normal retirement age as defined in
635 section 2.18 and has completed five (5) years of service.

635

636 (c) Notwithstanding the provisions of subparagraph (a), a member of the
637 Federation of Nurses and Health Professionals whose initial membership date is
638 before January 1, 2012 shall not be eligible for a normal pension until the
639 member has attained normal retirement age as defined in section 2.18 and has
640 completed five (5) years of service.

640

641 (2) Rule of 75.

642

643 (a) A member who, on September 29, 2011, is employed and is not covered by the
644 terms of a collective bargaining agreement, and whose initial membership in the retirement
645 system under section 201.24 began prior to January 1, 2006, and who retires on and after
646 September 1, 1993, shall be eligible for a normal pension when the age of the member
647 when added to his years of service equals seventy-five (75), but this provision shall not
648 apply to any member eligible under section 4.5 nor to any non-represented deputy sheriff
649 who was hired as a deputy sheriff after December 31, 1993 and whose appointment to a
650 non-represented position was first effective after June 30, 2009, nor to a member who was
651 formerly a represented correction officer who was hired as a correction officer after
652 December 31, 1993 and who was appointed to a non-represented position effective after
653 May 1, 2011.

653

654 (b) A member who, on September 29, 2011, is employed and is covered by the
655 terms of a collective bargaining agreement with the American Federation of State, County
656 and Municipal Employees District Council 48, or with the Technicians, Engineers and
657 Architects of Milwaukee County, or with the International Association of Machinists and
658 Aerospace Workers, and whose initial membership date is prior to January 1, 1994, shall
659 be eligible for a normal pension when the age of the member when added to his

659 years of service equals seventy-five (75), but this provision shall not apply to any member
660 eligible under section 4.5.

661 (c) A member who is employed and is covered by the terms of a collective
662 bargaining agreement with the Federation of Nurses and Health Professionals, and whose
663 initial membership date is prior to January 1, 2013, shall be eligible for a normal pension
664 when the age of the member when added to his years of service equals seventy-five (75),
665 but this provision shall not apply to any member eligible under section 4.5.

666 (d) A member who, on September 29, 2011, is employed and is covered by the
667 terms of a collective bargaining agreement with the Association of Milwaukee County
668 Attorneys, and whose initial membership date is prior to January 1, 2006, shall be eligible
669 for a normal pension when the age of the member when added to his years of service
670 equals seventy-five (75), but this provision shall not apply to any member eligible under
671 section 4.5.

672 (e) A member who, on September 29, 2011, is employed and is covered by the
673 terms of a collective bargaining agreement with the Milwaukee Building and Construction
674 Trades Council, and whose initial membership date is prior to February 21, 2006, shall be
675 eligible for a normal pension when the age of the member when added to his years of
676 service equals seventy-five (75), but this provision shall not apply to any member eligible
677 under section 4.5.

678 (f) A member who, on September 29, 2011, is employed and is covered by the
679 terms of a collective bargaining agreement with the Milwaukee Deputy Sheriff's
680 Association, and whose initial membership date is prior to January 1, 1994, shall be
681 eligible for a normal pension when the age of the member when added to his years of
682 service equals seventy-five (75), but this provision shall not apply to any member eligible
683 under section 4.5.

684 (g) A member who, on September 29, 2011, is employed and is covered by the
685 terms of a collective bargaining agreement with the Milwaukee County Fire Fighters
686 Association, and who was a member as of December 1, 1996, shall be eligible for a
687 normal pension when the age of the member when added to his years of service equals
688 seventy-five (75), but this provision shall not apply to any member eligible under section
689 4.5.

690

691 **Section 19.** Section 201.24(5.1) of the General Ordinances of Milwaukee County is
692 repealed and re-created as follows:

693

694 **5.1. Normal pension.**

695 ~~(1) A member, other than a member covered by the terms of a collective bargaining~~
696 ~~agreement, a deputy sheriff or elected official, whose continuous membership began prior~~
697 ~~to January 1, 1982 who meets the requirements for a normal pension shall receive an~~
698 ~~amount equal to two (2) percent of his final average salary multiplied by the number of his~~
699 ~~years of service rendered prior to January 1, 2010, other than as a member covered by the~~
700 ~~terms of a collective bargaining agreement, a deputy sheriff or elected official, and shall~~
701 ~~receive an amount equal to one and six tenths (1.6) percent of his final average salary~~
702 ~~multiplied by the number of his years of service rendered on and after January 1, 2010,~~
703 ~~other than as a member covered by the terms of a collective bargaining agreement, a~~

704 deputy sheriff or elected official. A member, other than a member covered by the terms of
705 a collective bargaining agreement, a deputy sheriff or elected official, whose continuous
706 membership began after January 1, 1982, who meets the requirements for a normal
707 pension shall receive an amount equal to one and one half (1-1/2) percent of his final
708 average salary multiplied by the number of his years of service rendered prior to January 1,
709 2010, other than as a member covered by the terms of a collective bargaining agreement, a
710 deputy sheriff or elected official and shall receive an amount equal to one and six tenths
711 (1.6) percent of his final average salary multiplied by the number of his years of service
712 rendered on and after January 1, 2010, other than as a member covered by the terms of a
713 collective bargaining agreement, a deputy sheriff or elected official.

714
715 (2) — (a) A member covered by the terms of a collective bargaining agreement, other than
716 a deputy sheriff, whose continuous membership began prior to January 1, 1982, who meets
717 the requirements for a normal pension shall receive an amount equal to two (2) percent of
718 his final average salary multiplied by the number of his years of service as a collective
719 bargaining agreement member other than a deputy sheriff.

720 (b) A member covered by the terms of a collective bargaining agreement, other than
721 a deputy sheriff, whose continuous membership began after January 1, 1982 who meets
722 the requirements for a normal pension shall receive an amount equal to one and one half
723 (1-1/2) percent of his final average salary multiplied by the number of his years of service as
724 a collective bargaining agreement member other than a deputy sheriff.

725 (c) A member shall receive an amount equal to one and six tenths (1.6) percent of
726 his final average salary multiplied by the number of his years of service, for service as a
727 member represented by AFSCME District Council 48, rendered on or after August 1, 2011.

728 (d) A member shall receive an amount equal to one and six tenths (1.6) percent of
729 his final average salary multiplied by the number of his years of service, for service as a
730 member represented by the Technicians, Engineers and Architects of Milwaukee County or
731 by the International Association of Machinists, rendered on or after May 1, 2010.

732 (e) A member shall receive an amount equal to one and six tenths (1.6) percent of
733 his final average salary multiplied by the number of his years of service, for service as a
734 member represented by the Association of Milwaukee County Attorneys, rendered on or
735 after June 1, 2010.

736 (f) A member shall receive an amount equal to one and six tenths (1.6) percent of
737 his final average salary multiplied by the number of his years of service, for service as a
738 member represented by the Federation of Nurses and Health Professionals or by the
739 Milwaukee Building and Construction Trades Council, rendered on or after January 1,
740 2012.

741
742 (3) A member who is a deputy sheriff whose continuous membership began prior to July
743 1, 1995, and who meets the requirements for a normal pension shall receive an amount
744 equal to two and five tenths (2.5) percent of his final average salary multiplied by the
745 number of his years of service as a deputy sheriff. A member who is a deputy sheriff whose
746 continuous membership began on or after July 1, 1995 and who meets the requirements
747 for a normal pension shall receive an amount equal to two (2) percent of his final average
748 salary multiplied by the number of his years of service as a deputy sheriff. Incumbents of

749 positions of chief investigator or investigator authorized in the office of the district attorney
750 shall receive the same pension benefit as a deputy sheriff. Incumbents of the positions of
751 airport fire chief, assistant airport fire chief, and fire fighter shall receive an amount equal to
752 one and one-half (1 1/2) percent of their final average salary multiplied by the number of
753 years of service for all service in these classifications prior to January 1, 1999, and two (2)
754 percent of their final average salary multiplied by the number of years of service in these
755 classifications for all service after December 31, 1998.

756
757 (4) ~~A member who is an elected official whose continuous membership began prior to~~
758 ~~January 1, 1982, and who meets the requirements for a normal pension, shall receive an~~
759 ~~amount equal to two and one-half (2 1/2) percent of his final average salary multiplied by~~
760 ~~the number of his years of service as an elected official. A member who is an elected~~
761 ~~official whose continuous membership began after January 1, 1982, and who meets the~~
762 ~~requirements for a normal pension, shall receive an amount equal to two (2) percent of his~~
763 ~~final average salary multiplied by the number of his years of service as an elected official.~~
764 ~~Regardless of when membership began, an elected official shall receive an amount equal to~~
765 ~~one and six tenths (1.6) percent of his final average salary multiplied by the number of his~~
766 ~~years of service rendered on and after October 14, 2010 as an elected official.~~

767
768 (5) ~~If a member has service in more than one (1) of the foregoing job capacities, his~~
769 ~~pension shall be the sum of the amounts computed by multiplying his final average salary~~
770 ~~by the product of the foregoing benefit percentage for each such capacity and his service in~~
771 ~~each such capacity.~~

772
773 (6) ~~If a member has service in one (1) or more of the foregoing job capacities as~~
774 ~~well as service as an employee of the state who receives part of his wage or salary from the~~
775 ~~county, his pension for service shall be equal to two and one-half (2 1/2) percent or two (2)~~
776 ~~percent respectively of his final average salary paid by the county multiplied by the number~~
777 ~~of years of service as an elected county or state official and two (2) percent or one and one-~~
778 ~~half (1 1/2) percent respectively multiplied by the number of years of service other than as~~
779 ~~an elected official.~~

780
781 (7) ~~The pension payable to a member under the provisions of this section 5.1 shall~~
782 ~~not exceed eighty (80) percent of his final average salary increased by the post retirement~~
783 ~~pension adjustment percentage in effect for each year of the member's continued~~
784 ~~employment after having accrued sufficient service to have become subject to the eighty~~
785 ~~(80) percent maximum percentage.~~

786
787 (1) A member shall receive an amount equal to the member's final average salary
788 multiplied times the number of years, or partial years, of service as a member multiplied by
789 the percentage(s) set forth below.

790
791 (2) For periods of service as an elected official, the percentage shall be:

792 (a) for an elected official whose whose continuous membership began prior to
793 January 1, 1982, for service through October 13, 2010, two and one half percent
794 (2.5%);

795
796 (b) for an elected official whose continuous membership began on or after January
797 1, 1982, for service through October 13, 2010, two percent (2.0%);

798
799 (c) for any elected official, for service on or after October 14, 2010, one and six-
800 tenths percent (1.6%).

801
802 (3) For periods of service as a member not represented by a collective bargaining unit,
803 except as set forth in paragraph(12) below, the percentage shall be as follows:

804
805 (a) for such a member whose continuous membership began prior to January 1,
806 1982, for service through December 31, 1999, two percent (2.0%);

807
808 (b) for such a member whose continuous membership began on or after January 1,
809 1982, for service through December 31, 2009, one and one half percent (1.5%);

810
811 (c) for any such member, for service on or after January 1, 2010, one and six-tenths
812 percent (1.6%).

813
814 (4) For periods of service as a member represented by the American Federation of State,
815 County and Municipal Workers, the percentage shall be as follows:

816
817 (a) for such a member whose continuous membership began prior to January 1,
818 1982, for service through July 31, 2011, two percent (2.0%);

819
820 (b) for such a member whose continuous membership began on or after January 1,
821 1982, for service through July 31, 2011, one and one-half percent (1.5%);

822
823 (c) for any such member, for service on or after August 1, 2011, one and six-tenths
824 percent (1.6%).

825
826 (5) For periods of service as a member represented by the Milwaukee Building and
827 Construction Trades Council, the percentage shall be as follows:

828
829 (a) for such a member whose continuous membership began prior to January 1,
830 1982, for service through December 31, 2011, two percent (2.0%);

831
832 (b) for such a member whose continuous membership began on or after January 1,
833 1982, for service through December 31, 2011, one and one-half percent (1.5%);

834
835 (c) for any such member, for service on or after January 1, 2012, one and six-tenths
836 percent (1.6%).

837 (6) For periods of service as a member represented by the Association of Milwaukee
838 County Attorneys, the percentage shall be as follows:

839

840 (a) for such a member whose continuous membership began prior to January 1,
841 1982, for service through May 31, 2010, two percent (2.0%);

842

843 (b) for such a member whose continuous membership began on or after January 1,
844 1982, for service through May 31, 2010, one and one-half percent (1.5%);

845

846 (c) for any such member, for service on or after June 1, 2010, one and six-tenths
847 percent (1.6%).

848

849 (7) For periods of service as a member represented by the International Association of
850 Machinists, the percentage shall be as follows:

851

852 (a) for such a member whose continuous membership began prior to January 1,
853 1982, for service through April 30, 2010, two percent (2.0%);

854

855 (b) for such a member whose continuous membership began on or after January 1,
856 1982, for service through April 30, 2010, one and one-half percent (1.5%);

857

858 (c) for any such member, for service on or after May 1, 2010, one and six-tenths
859 percent (1.6%).

860

861

862

(8) For Architects of Milwaukee County, the percentage shall be as follows:

863

864 (a) for such a member whose continuous membership began prior to January 1,
865 1982, for service through April 30, 2010, two percent (2.0%);

866

867 (b) for such a member whose continuous membership began on or after January 1,
868 1982, for service through April 30, 2010, one and one-half percent (1.5%);

869

870 (c) for any such member, for service on or after May 1, 2010, one and six-tenths
871 percent (1.6%).

872

873 (9) For periods of service as a member represented by the Federation of Nurses and Health
874 Professionals, the percentage shall be as follows:

875

876 (a) for such a member whose continuous membership began prior to January 1,
877 1982, for service through service through December 31, 2011, two percent (2.0%);

878

879 (b) for such a member whose continuous membership began on or after January 1,
880 1982, for service through December 31, 2011, one and one-half percent (1.5%);

881 (c) for any such member, for service on or after January 1, 2012, one and six-tenths
882 percent (1.6%).

883
884 (10) For periods of service as a member represented by the Milwaukee County
885 Firefighters Association, the percentage shall be as set forth in the collective bargaining
886 agreement.

887
888 (11) For incumbents on January 1, 1999 of the positions of airport fire chief,
889 assistant airport fire chief, and fire fighter, the percentages shall be as follows:

890
891 (a) for service prior to January 1, 1999, one and one-half percent (1.5%);

892
893 (b) for service on or after January 1, 1999, two percent (2.9%).

894
895 (12) For periods of service as a represented or non-represented deputy sheriff, or for
896 service as a chief investigator or investigator in the office of the district attorney, the
897 percentage shall be as follows:

898
899 (a) for such a member whose continuous membership began prior to July 1, 1995,
900 for service through , the percentage shall be two and one-half percent (2.5%);

901
902 (b) for such a member whose continuous membership began on or after July 1,
903 1995, the percentage shall be two percent (2.0%).

904
905 (13) The pension payable to a member under the provisions of this section 5.1 shall
906 not exceed eighty (80) percent of his final average salary increased by the post-retirement
907 pension adjustment percentage in effect for each year of the member's continued
908 employment after having accrued sufficient service to have become subject to the eighty
909 (80) percent maximum percentage.

910
911 **Section 20.** Section 201.24(5.15) of the General Ordinances of Milwaukee County is
912 amended as follows:

913
914 **Section 5.15. Recruitment and retention incentive effective January 1, 2001.**

915
916 Except as set forth below, tThe provisions of this section shall apply to all members of the
917 employees' retirement system eligible to accrue pension service credit as of January 1,
918 2001, and who are not represented by a collective bargaining unit and file an application
919 for retirement after January 1, 2001. This section shall supersede any provisions of section
920 5.1 that may conflict with this section. The provisions of this section shall not apply to any
921 member of the employees' retirement system who filed an application for retirement prior
922 to January 1, 2001, which shall be effective on or after January 1, 2001. The provisions of
923 this section shall not apply to members of the employees' retirement system who, as of
924 January 1, 2001, are either eligible for a deferred vested retirement benefit under section

925 4.5 or are receiving a retirement benefit, unless such members return to a status eligible to
926 accrue additional service credit on or after January 1, 2001. The provisions of this section
927 shall not apply to years of service earned on or after January 1, 2010, by a member who, at
928 the time the service is earned, is not covered by the terms of a collective bargaining
929 agreement, nor shall this section apply to service credit earned on or after October 14,
930 2010 by a member who, at the time service is earned, is an elected official, nor shall this
931 section apply to periods of service to which the percentage of one and six-tenths applies
932 under sections 201.24(5.1)(1) through (10) credit earned on or after the effective date of
933 sections 201.24(5.1)(2)(c) through (f). The provisions of this section shall not apply to a
934 deputy sheriff represented at the time of retirement by the Milwaukee Deputy Sheriff's
935 Association. The provisions of this section shall not apply to a non-represented deputy
936 sheriff whose appointment to a non-represented position was first effective on or after July
937 1, 2009. The provisions of this section shall not apply to elected officials whose
938 membership began on or after March 15, 2002.

939
940 (1) If membership in the employees' retirement system initially began on or after January
941 1, 1982, or for a non-represented deputy sheriff who began membership on or after July 1,
942 1995 and whose appointment to a non-represented position was first effective prior to July
943 1, 2009, the following recruitment and retention incentives shall apply:

944
945 (a) ~~Except for a non-represented deputy sheriff whose membership began prior to July 1,~~
946 ~~1995, or whose appointment to a non-represented position was first effective after June 30,~~
947 ~~2009, and elected officials whose membership began on or after March 15, 2002, a~~ All
948 pension service credit earned on and after January 1, 2001, shall be credited in an amount
949 equal to an additional 0.5 percent of the member's final average salary. For each year of
950 service credit earned after January 1, 2001, eight (8) years of service credit earned prior to
951 January 1, 2001, shall be credited at an additional 0.5 percent of the member's final
952 average salary. The additional service credits under this section 5.15(1)(a) shall not apply to
953 any elected official whose membership began prior to March 15, 2002, if such elected
954 official consents irrevocably in writing filed with the system to waive the right to receive
955 such additional pension service credits.

956
957 (b) An employee shall not be eligible for a deferred vested pension if his/her employment
958 is terminated prior to his/her completion of five (5) years of service.

959
960 (2) Retention incentive bonus. (a) If initial membership in the employees' retirement
961 system began prior to January 1, 1982, or began prior to July 1, 1995, for a non-
962 represented deputy sheriff whose appointment to a non-represented position was first
963 effective prior to July 1, 2009, or if the member is named in section 2.15(11) of the 2009 -
964 2012 collective bargaining agreement with the Milwaukee County Firefighters Association,
965 at the time of retirement, the member shall have their final average salary increased by a
966 bonus of seven and five-tenths (7.5) percent for each year of pension service credit earned
967 after January 1, 2001. The maximum bonus that shall be added to an eligible member's
968 final average salary shall not be more than twenty-five (25) percent. This provision shall not
969 apply to a member of the employees' retirement system who became a member of the

970 system prior to January 1, 1982, and as of January 1, 2001, is either eligible for a deferred
971 vested benefit under section 201.24(4.5), or is receiving a pension benefit, unless such
972 member returns to a status whereby the member is eligible to earn additional pension
973 service credit on or after January 1, 2001. The retention incentive bonus under this section
974 5.15(2) shall not apply to any elected official who is otherwise eligible to receive such
975 bonus if such elected official consents irrevocably in writing filed with the system to waive
976 the right to receive such retention incentive bonus.

977 (b) The provisions of the preceding paragraph shall not apply to any deputy sheriff
978 represented at the time of retirement by the Milwaukee Deputy Sheriff's Association, or to
979 a non-represented deputy sheriff whose membership began on or after July 1, 1995, or to a
980 non-represented deputy sheriff whose appointment to a non-represented position was first
981 effective on or after July 1, 2009,

982
983 (3) Members who hold positions for which membership in the employees' retirement
984 system is optional and opt for such membership, shall have pension service credit earned
985 after January 1, 2001, credited at two (2) percent. However, such service credit shall not
986 result in a multiplier increase for service credit earned prior to January 1, 2001, nor shall
987 such service credit qualify the member for a retention incentive bonus.

988
989 The provisions of this section shall not apply to a member of the employees' retirement
990 system who is either eligible for a deferred vested benefit under section 201.24(4.5), or is
991 receiving a pension benefit as of January 1, 2001, unless such member returns to active
992 county employment and is eligible to earn additional pension service credit under section
993 201.24.

994
995 **Section 21.** Section 201.24(5.16) of the General Ordinances of Milwaukee County is
996 amended as follows:

997
998 **5.16 Back drop pension benefit.**

999
1000 (1) The provisions of this section shall apply to any member whose application to retire is
1001 filed and effective after January 1, 2001, but shall not apply to:

1002 (a) any member of the employee retirement system who is an elected official, or
1003 who was not represented by a collective bargaining unit on September 29, 2011,
1004 and who began membership in said system on or after March 15, 2002,

1005 (b) who was represented by the American Federation of State, County and
1006 Municipal Workers on September 29, 2011 and who began membership prior to
1007 February 1, 2007

1008 (c) who was represented by the Milwaukee Building and Construction Trades
1009 Council on September 29, 2011 and who began membership prior to February 21,
1010 2006,

1011 (d) who was represented by the Association of Milwaukee County Attorneys on
1012 September 29, 2011 and who began membership prior to January 1, 2006,

- 1013 (e) who was represented by the International Association of Machinists or by the
 1014 Technicians, Engineers and Architects of Milwaukee County on September 29, 2011
 1015 and who began membership prior to November 4, 2005,
 1016 (f) who was represented by the Federation of Nurses and Health Professionals
 1017 on September 29, 2011 and who began membership prior to December 16, 2005,
 1018 (g) who was represented by the Milwaukee County Firefighters Association on
 1019 September 29, 2011 and who began membership prior to June 19, 2007,
 1020 (h) or to a member who was formerly a represented deputy sheriff and who was
 1021 appointed to a non-represented position effective after June 30, 2009,
 1022 (i) or who is eligible for a deferred pension benefit under section 201.24(4.5) or
 1023 a disability pension benefit under sections 201.24(5.3), (5.31) or (5.4).
 1024 (j) The "back drop" pension benefit under this section 5.16 shall not apply to
 1025 any who elected official whose membership began prior to March 15, 2002, if such
 1026 elected official consents irrevocably in writing filed with the system to waive the
 1027 right to elect to receive a "back drop" pension benefit.
 1028

1029 ~~Upon retirement, a member may opt for a "back drop" pension benefit as follows:~~

1030 ~~(2)(4) Upon retirement, a~~ A member may request a monthly pension benefit based on
 1031 accrued pension service credit and final average salary calculation as of a specific date in
 1032 the past which shall be referred to as the "back drop date." The "back drop date" may not
 1033 be prior to the earliest date that the member was eligible to retire, and shall not be less
 1034 than one (1) year prior to the date the member leaves active county service. The monthly
 1035 pension benefit the member was eligible to receive as of the "back drop date" shall be
 1036 referred to as the "monthly drop benefit."
 1037

1038 ~~(3) (2)~~ The total amount of the "monthly drop benefit" payments the member would have
 1039 received (including the annual two (2) percent pension increase) between the "back drop
 1040 date" and the date the member is removed from the county payroll due to actual retirement
 1041 (after exhausting all accrued time balances as documented by an ETCR form), plus interest
 1042 earnings (compounded monthly) equal to the pension fund rate of return used by the ERS
 1043 actuary, shall be referred to as the "total drop benefit."
 1044

1045 ~~(4) (3)~~ If the member opts for a "back drop" pension benefit:

1046 a. The "total drop benefit" shall be paid to the member with appropriate deductions for
 1047 state and federal taxes; or if permitted by IRS regulations, the member may "roll over" the
 1048 "total drop benefit" to an IRA.

1049 b. The "monthly drop benefit" shall be paid to the member.
 1050

1051 ~~(5) (4)~~ The standard pension options shall be available to a member who opts for a "back
 1052 drop benefit", and the retention incentives incorporated into the pension benefit effective
 1053 January 1, 2001, shall be included when calculating the "monthly drop benefit." Therefore,
 1054 a member who opts for a "back drop benefit" with a "back drop date" prior to January 1,
 1055 2001, shall be eligible for the retention incentives which became effective as of January 1,
 1056 2001, based on continued service after January 1, 2001.
 1057

1058 (6) (5) A member who opted for a "back drop benefit" upon retirement and later returns to
1059 active service and is eligible to earn additional pension service credit, shall cease receiving
1060 the monthly drop benefit until the member once again terminates active service. Upon
1061 once again retiring, the member shall have any new service credit added to the service
1062 credit used to calculate the "monthly drop benefit", and the member's final average salary
1063 shall be recalculated to incorporate the most recent earnings.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/28/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: The Department of Human Resources is requesting to repeal or amend Sections 17.015, 17.055, 17.085, 17.14, 17.165, 17.17, 17.172, 17.176, 201.24(2.8), 201.24(4.1), 201.24(5.1), 201.24(5.15), and 201.24(5.16) of the Milwaukee County General Ordinances as they pertain to compensation and fringe benefits.

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input checked="" type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input checked="" type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	-24,095	-41,883
	Revenue	-3,614	-6,284
	Net Cost	-20,481	-35,999
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The Department of Human Resources is requesting to repeal or amend Sections 17.015, 17.055, 17.085, 17.14, 17.165, 17.17, 17.172, 17.176, 201.24(2.8), 201.24(4.1), 201.24(5.1), 201.24(5.15), and 201.24(5.16) of the Milwaukee County General Ordinances as they pertain to compensation and fringe benefits. These actions seek to incorporate all financial compensation and fringe benefit provisions of the American Federation of State and Municipal Employees (AFSME) District Council 48 (DC 48) 2007 – 2008 contract into ordinance. These changes also result in an additional \$0.05 pay for non-represented employees for shift and weekend differential pay, and a modification to the methodology for currently calculating overtime compensation when shift differentials are involved. This methodology change is based on Fair Labor Standards Act (FLSA) rules for all employees.

B. The changes relating to wages and reimbursements are as follows:

Shift Differential

Shift differential for all positions previously represented by DC 48 is currently being paid at \$0.40 per hour. MCGO provided a shift differential for all non-represented employees of \$0.35 per hour. The recommendation is to change MCGO so that all employees, both non-represented and those previously represented by DC 48, earn \$0.40 per hour. Based on an average of 43,494 hours paid in 2010 and 2011 to non-represented staff, this change would result in an expenditure of \$2,175 to pay an additional \$0.05 per hour to all non-represented staff. Based on a countywide revenue offset of approximately 15 percent, the change results in a net expenditure increase of \$1,849 annually.

In addition to increasing the shift differential for certain employees, the County will modify how shift differential is currently paid out on overtime hours. Pursuant to Fair Labor Standards Act (FLSA) rules,

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

shift differential must be used to calculate an employee's base wages on a weekly basis, which is then used to determine the overtime compensation payable to an employee. Currently, the County is calculating the employee's base wages using 1.5 times the shift differential (for example if an employee earns \$10.00 per hour, the base wage with shift differential should be \$10.40; however, the County is using \$10.00, plus the 1.5 times the shift differential for a base wage of \$10.60). The current methodology results in overpayments to employees' for overtime hours of slightly less than \$0.20 per hour for DC 48 employees and slightly less than \$0.175 for non-represented employees. Modification of the methodology results in an approximate savings of \$14,918 per year. This savings is calculated using an average of the total shift differential overtime hours paid to non-represented employees and employees previously represented by DC 48 in 2010 and 2011. The cost for utilizing the previous methodology for these two years ranged between \$7,806 and \$22,030. Based on a countywide revenue offset of approximately 15 percent, the change would result in a net tax levy savings of \$12,680 annually.

Weekend Shift Differential

Weekend shift differential for all positions previously represented by DC 48 is currently being paid at \$0.40 per hour. MCGO provided a shift differential for all non-represented employees of \$0.35 per hour. The recommendation is to change MCGO so that all employees, both non-represented and those previously represented by DC 48, earn \$0.40 per hour. Based on an average of 27,706 hours paid in weekend shift differential in 2010 and 2011 to non-represented staff, this change would result in an expenditure of \$1,385 to pay an additional \$0.05 per hour to all non-represented staff. Based on a countywide revenue offset of approximately 15 percent, the change results in a net expenditure increase of \$1,178 annually.

In addition to increasing the weekend shift differential for certain employees, the County will modify how shift differential is currently paid out on overtime hours. Pursuant to Fair Labor Standards Act (FLSA) rules, weekend shift differential must be used to calculate an employee's base wages on a weekly basis, which is then used to determine the overtime compensation payable to an employee. Currently, the County is calculating the employee's base wages using 1.5 times the shift differential (for example if an employee earns \$10.00 per hour, the base wage with shift differential should be \$10.40; however, the County is using \$10.00, plus the 1.5 times the shift differential for a base wage of \$10.60). The current methodology results in overpayments to employees' for overtime hours of slightly less than \$0.20 per hour for DC 48 employees and slightly less than \$0.175 for non-represented employees. Modification of the methodology results in an approximate savings of \$19,929 per year. This savings is calculated using an average of the total shift differential overtime hours paid to non-represented employees and employees previously represented by DC 48 in 2010 and 2011. Savings for these two years ranged between \$31,390 and \$15,501. Based on a countywide revenue offset of approximately 15 percent, the change would result in a net tax levy savings of \$19,928 annually.

Differential for Rollback and Wrecker Equipment Operations

Shift differential for an employee who operates rollback and wrecker equipment was provided for at \$0.50 per hour under the DC 48 contract. This recommendation will codify this benefit for these individuals and will have no tax levy impact.

Standby Pay

Standby pay for all positions previously represented by DC 48 is currently being paid at \$0.60 per hour while on standby, and a minimum of 4 hours per pay for each session where the employee is called in (the County is paying these hours worked according to current overtime rules). MCGO provides no standby pay for non-represented employees except for district attorney investigators. The recommendation is to change MCGO so that all employees in positions certified by the Director of the Department of Human Resources (DHR) will earn \$0.60 per hour while on standby, and a minimum of 3 hours at the employee's hourly rate for each session where the employee is called in (the County is paying these hours worked according to current overtime rules). There is no change recommended for

the current provisions for the district attorney investigators. Because the County's Ceridian Time & Attendance system (CTA) was not previously tracking an employee's actual hours worked in a session under the standby provision, it is impossible to determine the fiscal impact that this change will have. Potential savings will result due to the reduction of the minimum hours paid per session from 4 hours to 3 hours. Additional savings will result if the applicability of the standby provisions, within FLSA rules, is limited. The assumption is that DHR will limit the applicability of the standby provisions within the FLSA rules, while providing departments with appropriate work rules to guarantee that coverage is available as needed.

Call-in Pay

Call-in pay for all positions previously represented by DC 48 is currently being paid at a minimum of 3 hours at the employee's hourly rate (the County is paying these hours worked according to current overtime rules). MCGO provides no provisions for call-in pay. The recommendation is to change MCGO so that all employees in positions certified by the Director of DHR will earn a minimum of 3 hours at the employee's hourly rate if called into work outside of their regularly scheduled shift. Because the County's Ceridian Time & Attendance system (CTA) was not previously tracking an employee's time under the call-in provision, it is impossible to determine the fiscal impact that this change will have. The only potential savings occurs if the applicability of the call-in provision is limited. The assumption is that DHR will limit the applicability of the call-in provisions while providing departments with appropriate work rules to guarantee that coverage is available as needed.

Uniform Allowance

Uniform allowances have been provided for in certain classifications of non-represented employees and for certain classifications of employees previously represented by DC 48. The recommendation is to continue to provide uniform payments to all employees who previously were eligible, but to change the method of payment from an allowance to a reimbursement. As an allowance, employees automatically received the payment, regardless of whether they purchased a uniform or not. Under this method, the allowance is subject to income tax, decreasing the value of the payment. If the change is approved, employees will continue to receive reimbursement, but only when presenting a valid receipt for the type of uniform allowed. Under this method, employees receive the full value of their uniform allowance (it is not taxable). This change may result in savings to the County if employees do not seek reimbursement for their purchases. The average spent on uniform allowances in 2010 and 2011 was \$138,517. Because the County has no historical data to base the rate of reimbursement on, this analysis assumes a 100 percent reimbursement rate the first year (2012) and a 95 percent reimbursement. For 2012, there is no anticipated savings. At 95 percent reimbursement for 2013, there is an estimated expenditure savings of \$6,926. Based on a countywide revenue offset of approximately 15 percent, the recommended change would result in an approximate levy savings of \$5,887 annually. For purposes of this fiscal note, it is assumed that 2012 uniform allowances have already been paid and would not provide any savings in 2012.

Tool Allowance

Tool allowances have been provided for at \$100 per calendar year for certain classification of employees previously represented by DC 48. The recommendation is to continue to provide tool reimbursements to all employees who previously were eligible, but to change the method of reimbursement from an allowance to a reimbursement. As an allowance, employees automatically received the payment, regardless of whether they purchased a tool or not. Under this method, the allowance is subject to income tax, decreasing the value of the reimbursement. If the change is approved, employees will continue to receive reimbursement, but only when presenting a valid receipt for the type of tool allowed. Under this method, employees receive the full value of their tool allowance (it is not taxable). This change may result in savings to the County if employees do not seek reimbursement for their purchases. The average spent on uniform allowances in 2010 and 2011 was \$3,050. Because the County has no historical data to base the rate of reimbursement on, this analysis assumes a 100 percent reimbursement rate the first year (2012) and a 95 percent reimbursement. For 2012, there is no anticipated savings. At 95 percent reimbursement rate, there is an estimated

expenditure savings of \$153. Based on a countywide revenue offset of approximately 15 percent, the recommended change would result in an approximate levy savings of \$130. For purposes of this fiscal note, it is assumed that 2012 uniform allowances have already been paid and would not provide any savings in 2012.

C. The budgetary impacts relating to wages and reimbursements are as follows:

Shift Differential

Shift differential for all non-represented employees will increase by \$0.05 hourly, resulting in an annual expenditure increase of \$2,300; based on a countywide revenue offset of approximately 15 percent, the change results in a net expenditure increase of \$1,980 annually. For 2012, the net expenditure increase is based off the change being implemented beginning with pay period 9, which results in a net expenditure increase of \$1,280. This cost is completely offset by the savings in modifying how shift differential is currently paid out on overtime hours. Modification of the methodology results in an approximate savings of \$14,918 per year. Based on a countywide revenue offset of approximately 15 percent, the change would result in a net tax levy savings of \$12,680 annually. For 2012, the net expenditure decrease is based off the change being implemented beginning with pay period 9, which results in a net expenditure savings of \$8,779. Therefore, there are sufficient funds budgeted in 2012 for these actions.

Weekend Shift Differential

Weekend shift differential for all non-represented employees will increase by \$0.05 hourly, resulting in an annual expenditure increase of \$1,385; based on a countywide revenue offset of approximately 15 percent, the change results in a net expenditure increase of \$1,178 annually. For 2012, the net expenditure increase is based off the change being implemented beginning with pay period 9, which results in a net expenditure increase of \$815. This cost is completely offset by the savings in modifying how shift differential is currently paid out on overtime hours. Modification of the methodology results in an approximate savings of \$23,446 per year. Based on a countywide revenue offset of approximately 15 percent, the change would result in a net tax levy savings of \$19,929 annually. For 2012, the net expenditure increase is based off the change being implemented beginning with pay period 9, which results in a net expenditure savings of \$13,797. Therefore, there are sufficient funds budgeted in 2012 for these actions.

Differential for Rollback and Wrecker Equipment Operations

There is no change to shift differential paid for rollback and wrecker equipment operations, resulting in no anticipated budgetary impact for 2012 or beyond.

Standby Pay

Standby pay for all positions previously represented by DC 48 is currently being paid at \$0.60 per hour while on standby, and a minimum of 4 hours per pay for each session where the employee is called in (the County is paying these hours worked according to current overtime rules). This change will result in a reduction of the minimum hours paid per session from 4 hours to 3 hours. Additional savings will result if the applicability of the standby provisions, within FLSA rules, is limited. A positive budgetary impact is anticipated, but incalculable. Therefore, there would be sufficient funds budgeted in 2012 for these actions.

Call-in Pay

Call-in pay for all positions previously represented by DC 48 is currently being paid at a minimum of 3 hours at the employee's hourly rate (the County is paying these hours worked according to current overtime rules). This change will result in a savings if the applicability of the call-in provisions, within FLSA rules, is limited. A positive budgetary impact is anticipated, but incalculable. Therefore, there would be sufficient funds budgeted in 2012 for these actions.

Uniform Allowance

Because the County has no historical data to base the rate of reimbursement on, this analysis assumes a 100 percent reimbursement rate the first year (2012) and a 95 percent reimbursement. For 2012, there is no anticipated savings. At 95 percent reimbursement for 2013, there is an estimated expenditure savings of \$6,926. Based on a countywide revenue offset of approximately 15 percent, the recommended change would result in an approximate levy savings of \$5,887 annually. Therefore, there are sufficient funds budgeted in 2012 for these actions.

Tool Allowance

Because the County has no historical data to base the rate of reimbursement on, this analysis assumes a 100 percent reimbursement rate the first year (2012) and a 95 percent reimbursement. For 2012, there is no anticipated savings. At 95 percent reimbursement rate, there is an estimated expenditure savings of \$153. Based on a countywide revenue offset of approximately 15 percent, the recommended change would result in an approximate levy savings of \$130. For purposes of this fiscal note, it is assumed that 2012 uniform allowances have already been paid and would not provide any savings in 2012. Therefore, there are sufficient funds budgeted in 2012 for these actions.

Totals

	2012		
	Exp	Rev	Tax
Shift Differential Increase	\$ 1,506	\$ 226	\$ 1,280
Shift Differential OT	\$ (10,328)	\$ (1,549)	\$ (8,779)
Weekend Differential Increase	\$ 959	\$ 144	\$ 815
Weekend Differential OT	\$ (16,232)	\$ (2,435)	\$ (13,797)
Rollback Pay	\$ -	\$ -	\$ -
Standby Pay	\$ -	\$ -	\$ -
Uniform Reimbursement	\$ -	\$ -	\$ -
Tool Reimbursement	\$ -	\$ -	\$ -
Totals	\$ (24,095)	\$ (3,614)	\$ (20,481)

	2013		
	Exp	Rev	Tax
Shift Differential Increase	\$ 2,175	\$ 326	\$ 1,849
Shift Differential OT	\$ (14,918)	\$ (2,238)	\$ (12,680)
Weekend Differential Increase	\$ 1,385	\$ 207	\$ 1,178
Weekend Differential OT	\$ (23,446)	\$ (3,517)	\$ (19,929)
Rollback Pay	\$ -	\$ -	\$ -
Standby Pay	\$ -	\$ -	\$ -
Uniform Reimbursement	\$ (6,926)	\$ (1,039)	\$ (5,887)
Tool Reimbursement	\$ (153.00)	\$ (23.00)	\$ (130.00)
Totals	\$ (41,883)	\$ (6,284)	\$ (35,599)

D. Assumptions used in calculating each of the impacts described in (B) and (C) are discussed in their respective sections.

Department/Prepared By Cynthia (CJ) Pah/DAS Fiscal

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 16) From the Director, Department of Transportation, requesting authorization to allow the Airport Director to double fill one position of Airport Maintenance Worker-In Charge (Title Code 32460, Pay Range 15KZ) until May 31, 2012, by recommending adoption of the following:

A RESOLUTION

WHEREAS, due to a medical condition, the current incumbent to this position has been absent from work since May 20, 2010; and

WHEREAS, on March 23, 2011, the Airport received a status update from the employee's medical care provider stating that *"it is likely he will not be able to return to his prior job responsibilities as an Airport Maintenance Worker."*
; and

WHEREAS, upon receiving this notification, Airport staff, with the assistance of Milwaukee County's Office for Persons with Disabilities, made efforts to determine if this employee could meet the requirements of a less demanding job at the Airport; and

WHEREAS, it has now been eighteen months since the person in question left the Airport for medical reasons; and

WHEREAS, it is extremely unlikely that the employee will ever return to work at the Airport in any capacity given his medical challenges; and

WHEREAS, Title 14 of the Code of Federal Regulations, Part 139.303(a), states that General Mitchell International Airport (GMIA) *"must provide sufficient and qualified personnel..."*
; and

WHEREAS, the Airport Maintenance Worker In-Charge position falls under this requirement; and

WHEREAS, the Airport has, therefore, submitted this case to the Personnel Review Board (PRB) requesting dismissal for inability to perform the duties of the job; and

WHEREAS, the PRB is scheduled to hear the case on March 27, 2012; and

WHEREAS, subsequent to the PRB action, the recruitment and hiring process must follow; and

WHEREAS, the Airport Division has requested permission, pursuant to Section 14.14(1) of the Milwaukee County General Ordinances to double fill one Airport

46 Maintenance Worker In-Charge position, Title Code 32460, position number 1, in
47 Organizational Unit 5040, until May 31, 2012, to allow time for the necessary actions; and
48

49 WHEREAS, the incumbent's leave has been unpaid since November 2010; and
50

51 WHEREAS, there will be no impact on the tax levy of Milwaukee County; now,
52 therefore,
53

54 BE IT RESOLVED, that the Airport Director is hereby authorized to double fill Airport
55 Maintenance Worker In-Charge Position 1, Title Code 32460, in Organizational Unit 5040,
56 until May 31, 2012.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: November 17, 2011

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request for Dual Fill of Airport Maintenance Worker In-Charge Position

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of Contingent Funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

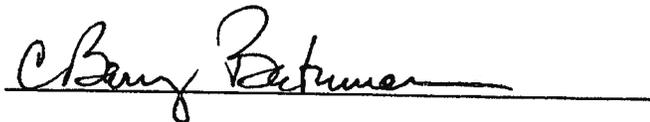
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The incumbent's leave has been unpaid since November 2010. There will be no tax levy impact.

Department/Prepared by: Terry Blue, Deputy Airport Director – Operations & Maintenance

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No
Reviewed by:

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¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 17) From the Interim Director, Employee Benefits, requesting an amendment to Section 201.24(8.2) of the Milwaukee County Code of General Ordinances as it pertains to membership on the Pension Board, by recommending adoption of the following:

AN AMENDED RESOLUTION/ORDINANCE

WHEREAS, the Pension Board includes three members elected from amongst the active employees; and

WHEREAS, the Pension Board is supported by the staff of the Employees Retirement System office; and

WHEREAS, having elected employee members of the Pension Board who are also part of the support staff for the Pension Board can create conflicts of interest, confidentiality and loyalty concerns; and

WHEREAS, members have been appointed or confirmed to serve partial terms on the Pension Board and clarification is necessary to limit service on the Pension Board to two, full, three-year terms, not including any partial term of service; and

WHEREAS, members have served beyond the completion of their second three-year term as holdovers until a replacement has been confirmed, but such service is contrary to the term limit policy and clarification is necessary to prevent this practice; and

WHEREAS, members are required to have certain qualifications for appointment or election and codification of prior practice is appropriate to provide that members cannot continue to serve if, during the member's term, the member no longer possesses the qualifications applicable to the member's appointment or election such that the member would not be eligible for re-appointment or re-election; and

WHEREAS, the Pension Board must be able to operate when vacancies exist on the Board and the requirement of five votes for final decisions can prevent action when the Pension Board does not have full membership and is contrary to common practice for other bodies under Robert's Rules of Order; and

WHEREAS, the Committee on Finance and Audit, at its meeting of March 8, 2012, approved this item AS AMENDED (Amendment #2) (vote 4-2); and

WHEREAS, the Committee on Personnel, at its meeting of March 9, 2012, approved this item AS AMENDED (Amendment #1) (vote 7-0); now, therefore,

44 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
45 amends Sections 201.24(8.2) and (8.5) of the Milwaukee County Code of General
46 Ordinances by adopting the following:

47
48 AN ORDINANCE
49

50 The County Board of Supervisors of the County of Milwaukee does ordain as
51 follows:

52
53 **Section 1.** Section 201.24(8.2) of the General Ordinances of Milwaukee County is
54 amended as follows:

55
56 8.2 Membership
57

58 Members shall not serve more than two (2) consecutive three-year terms, but the
59 appointment or election of a member to complete the balance of a three year term of a
60 prior member is not included in this limitation. Members may not continue to serve after
61 the completion of any term, unless re-appointed and confirmed or re-elected. A member
62 having served two (2) terms may be eligible for re-election or re-appointment after not
63 having been a member for at least three (3) years from the last date of service on the board.
64 If re-appointed or re-elected, the members must adhere to the same term limitation of two
65 (2) consecutive three-year terms. A member may not continue to serve if at any time the
66 member does not possess the qualifications that would be applicable to the member at the
67 time of the member's appointment, election, re-appointment or re-election. The board
68 shall determine any question concerning a member's qualification or eligibility to continue
69 to serve as a member, but the votes of five (5) members shall be necessary for a decision of
70 the board on any such question.

71
72 None of the appointed members of the pension board nor any family members of
73 the appointed members of the pension board shall be participants in, or beneficiaries of,
74 the Milwaukee County Employee Retirement System. None of the appointed members of
75 the pension board shall have relationships or ties to any provider of services to the
76 Milwaukee County Retirement System, Milwaukee County Pension Board, or the
77 Milwaukee County Pension Study Commission.

78
79 No member shall be eligible to serve, or to continue serving, on the pension board
80 who has been found or determined by any Wisconsin governmental unit or agency to have
81 violated any provision of an applicable ethics or lobbying code or who has been convicted
82 of any crime of misconduct in office or any crime involving dishonesty or theft.

83
84 The membership of the board shall consist of the following:

- 85
86 (a) Three (3) members to be appointed by the county executive (subject
87 to confirmation by two-thirds (2/3) or more of the members-elect of the
88 county board), for a term of three (3) years.

- 89
90 (b) Two (2) members appointed by the county board chairperson (subject
91 to the confirmation of the county board and to county executive approval or
92 veto, with proceedings on veto), for a term of three (3) years.
93
94 (c) Four (4) elected members consisting of three (3) employee members
95 and one (1) retiree member who shall be members of the system and who
96 shall be elected by members of the system except for the retiree member
97 who shall be elected by retired members only for terms of three (3) years.
98 Employees who work for the Employees Retirement System are not eligible
99 for election to, or service on, the pension board. The board may adopt
100 rules and regulations governing such election including a division of county
101 employees into groups for the purpose of electing one (1) employee
102 member of the board from among the employees of each group.
103 Appointing authorities shall ensure that the employee members of the
104 pension board are released from their work assignments to attend meetings
105 of the pension board and any other meeting related to pension board
106 business for which public notice is required which occurs during their
107 regularly scheduled work shift.
108

109 **Section 2.** Section 201.24(8.5) of the General Ordinances of Milwaukee County is
110 amended as follows:

111
112 8.5 Decision vote.

113
114 Each member of the board shall be entitled to one (1) vote in the board. ~~Five (5)~~
115 ~~votes~~ The votes of a majority of the members present and voting, but no less than four (4)
116 votes, shall be necessary for a decision by the members of the board at any meeting of the
117 board.
118

119 **Section 3.** This ordinance shall be effective upon passage and publication.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: December 27, 2011

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request to amend Section 201.24(8.2) of the Milwaukee County Code of General Ordinances as it pertains to membership on the Pension Board.

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A.) Approval of this request would amend Section 201.24(8.2) of the Milwaukee County Code of General Ordinances as it pertains to membership on the Pension Board. This ammendment would prohibit employees of ERS from serving on the body tasked with directing ERS. Further, the ammendment would alter the minimum number of affirmative votes required for the pension board to approve action. The mandatory quorum remains unchanged.

B.) The proposed change is intended to allow the Pension Board to carry out its fiduciary responsibilities despite vacancies that may occur due to pending appointments and elections. There is no cost to the County, other than time of existing staff.

C.) No budgetary impact

D.) None

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Matthew Hanchek, Interim Director - Employee Benefits

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 18) From the County Executive, requesting authorization to amend Section 17.305(1) of the Milwaukee County Code of General Ordinances as it pertains to residency requirements for appointed and unclassified positions, by recommending adoption of the following:

AN AMENDED RESOLUTION/ORDINANCE

WHEREAS, under Milwaukee County Ordinance 10-11, Milwaukee County appointed and unclassified employees shall establish and maintain their domicile and principal place of residence within the geographic limits of Milwaukee County within six months from the date of appointment; and

WHEREAS, Milwaukee County Civil Service has a long standing practice of granting extensions for the residency requirement due to extenuating circumstances for classified employees; and

WHEREAS, there should be a simple procedure for employees who desire to be employed by Milwaukee County but do to circumstances beyond their control may be prevented from doing so within the six-month time frame; now, therefore,

BE IT RESOLVED, that the Director of Human Resources, is authorized to grant residency extensions when good-faith efforts have been made to establish residency within the geographic limits of Milwaukee County; and

BE IT RESOLVED, that the Director of Human Resources, is directed to report those extensions to the Milwaukee County Board of Supervisors Personnel Committee every six months; and

BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors hereby revised the Milwaukee County Ordinances No. 10-11 by adopting the following:

AN ORDINANCE

The County Board of Supervisors of the County of Milwaukee does ordain as follows:

SECTION 1. Section 17.305 of the General Ordinances of Milwaukee County as amended to and including September 29, 2010, is hereby created as follows:

17.305 Residency for positions in the unclassified service.

1.) All employees appointed to any position in the unclassified service on or after October 1, 2010, shall establish and maintain their domicile and principal place

46 of residence within the geographic limits of Milwaukee County. New
47 appointments in the unclassified service on or after October 1, 2010, shall have
48 six months from the date of appointment to comply with this section.
49

50 a. The Director, Department of Human Resources, may grant one extension
51 of the foregoing requirement for up to six additional months, but in no
52 case shall a waiver of the residency requirement under paragraph (1)
53 above extend beyond one-year from the date of appointment. The
54 Director of Human Resources shall provide written notice to the County
55 Executive, the County Board Chair and the Chair of the Committee on
56 Personnel of all extensions granted under this section.
57

58 2.) If the Director of Human Resources determines an unclassified position is
59 essential to effective functioning of county operations and which, on the basis of
60 classification, vacancy, experience and difficulty in recruitment, cannot be filled
61 with qualified personnel under the requirements of paragraph (1) of this section,
62 the Director may waive the residency requirement for that position. All waivers
63 granted under this section are to be reported quarterly to the Committee on
64 Personnel, and shall be reviewed at least annually by the Director to determine
65 if a residency waiver is necessary to fill the position.
66

67 SECTION 2. This ordinance shall become effective upon passage and publication.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/23/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Recommendation to amend Section 17.305 of the Milwaukee County Code of General Ordinances to create a procedure to allow for an extension of the requirement for unclassified employees to establish and maintain their domicile and principal place of residence within the geographic limits of Milwaukee County.

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
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Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

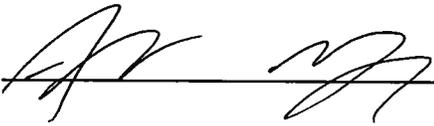
DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
 - A. Recommendation to amend Section 17.305 of the Milwaukee County Code of General Ordinances (MCGO) to create a procedure to allow for an extension of the requirement for unclassified employees to establish and maintain their domicile and principal place of residence within the geographic limits of Milwaukee County. Approval of the ordinance would create a process for an unclassified employee to request an extension of the residency rule under 17.305(1).
 - B. No direct fiscal impact to the County is anticipated as a result of approving the proposed action.
 - C. If not approved, budgetary savings could be achieved through the vacancy and turnover savings associated with an unclassified position being vacated due to the residency requirement. However, these savings could be completely offset by another individual being appointed to the same position or by other actions with financial impacts being necessary to fulfill the duties of the vacated position. Therefore, the anticipated budgetary savings of the proposal is zero.
 - D. The proposed action is undertaken to ensure that the Milwaukee County Code of General Ordinances provides a procedure for unclassified employees to request extensions of the residency rule. Since Civil Service Rules already provide a procedure for classified employees, this would make rules more consistent across classifications.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Cynthia (CJ) Pahl/DAS - Fiscal Affairs

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

1 Supervisor Lee Holloway, Chairperson
2 From the Committee on Finance and Audit reporting on:

3

4

File No. 12-197

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6 (ITEM 19) From the County Executive, appointing Mr. Chris Lindberg to the position of
7 Director of Information Management Services Division - Department of Administrative
8 Services, by recommending confirmation of the said appointment (vote 6-0).

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Chris Lindberg

6222 Washington Circle, Wauwatosa, WI 53213

(414) 350-7202

celindberg@gmail.com

Objective

A leadership management position in information technology where broad experience in strategic planning, technical architecture, content/knowledge management and the implementation of enterprise-grade solutions will add business value and a competitive edge.

Profile

Proven executive and senior manager with extensive background in Information Technology that includes management of multi-million dollar budgets and projects, company technology strategy and planning, M&A planning and integration, enterprise technical architecture, infrastructure and service management, and full technology implementations using SDLC in the competitive environment of the consumer packaged goods industry. Action- and team-oriented with strong conceptual skills/knowledge with a track record of consistent and positive delivery of results on a local, national and global basis. Strong customer consulting and service skills across the entire internal and external value chain in today's dynamic and constantly changing marketplace.

Experience

MillerCoors, Milwaukee, WI

2008-Present

Executive Manager – Technology Services

- Responsible for the entire technical architecture of MillerCoors with a primary focus on strategy, architecture, design and implementation of technologies to drive synergies, transformation, innovation and collaboration for the new company. Directly leading a team of four technical architects with multi-million dollar budget responsibility.
- Led the planning team for the development of strategic 3-year technology investment roadmap in support of the new MillerCoors joint venture strategic plan aligned with the new company's goals and objectives. Also planned and led transitional Day 1 integrations using agile methods to support communications, collaboration and Information access across both legacy companies.

2004-2007

Miller Brewing Company, Milwaukee, WI

Executive Manager – Technology Strategy and Planning

- Continued responsibility for the continued development and maintenance of a Technology Strategy and 5-year investment plan aligned with the company's strategic operating plan. Strong focuses on reducing IT complexity, and increasing speed and agility through architectural governance, a managed portfolio and focused disinvestments.
 - Engaged as the Miller Brewing Company enterprise architect on numerous global initiatives that has included global technology and portal visioning, integration, global collaboration, and back-office services consolidation.
 - Executive program manager for the agile implementation of Microsoft Office SharePoint System across the entire Miller Brewing Company extended enterprise using industry best practices. Prepared and sold in to company executive management the business case and project charter for the 5-year program with business value tied to the company's strategic operating plan. Focused drivers on aligned organization through targeted communications, information management and sharing, collaboration, business process automation and integration and enablement of IT strategy to reduce complexity and increase speed and agility of solution design and delivery.
 - Led enterprise Identity Management to improve IT provisioning services, reduce risk and facilitate Sarbanes-Oxley compliance.
 - Upon company acquisition by SABMiller Ltd., led the Global Technical Visioning Team for SABMiller for the development of strategy and technical architecture for the global IT organization.
-

Manager – Technology Strategy and Planning

- Principle responsibility for the development and maintenance of the Technology Strategy, Plan and Technical Architecture for Miller Brewing Company.
- Developed and drove divisional focus on use of standards-based integration technologies using AS2, XML and web services through Microsoft BizTalk and SAP Netweaver XI.
- Management and architectural responsibilities included leading an architectural team to implement enterprise instances of:
 - SAP Portal
 - Directory Services
 - Microsoft Exchange 2003
 - Integration technologies such as Microsoft BizTalk and SAP XI for integration activities with external business partners and SAP ERP
 - Standardization of desktop computer operating systems and productivity software
- Represented Miller Brewing Company in the capacity of Chief Technology Officer on the Philip Morris Management Corporation Technology Council. Council's focus of activities was primarily centered on consolidation, integration and portal technologies.

Highlights Previous to 2000

- Managed a large team (16+) of technologists and multi-million dollar annual budgets for the implementation, support and maintenance of technology infrastructure.
- Core team member and strategist on the introduction of internet Technologies into the Miller Brewing Company and extension of business services to distributors across the Internet.
- Designed and implemented a nationwide network of Windows servers to provide authentication, file and print services to all employees in all facilities.
- Designed, developed and implemented PC-based remote order entry and maintenance system software that ran in ~700 independent distributorships for a over decade.
- Developed software for teletype newswire monitoring whose rights were later purchased by Dow Jones, Inc.

Education

University of Wisconsin – Oshkosh – Master of Science in Microbiology. May 1978.

University of Wisconsin – Oshkosh – Bachelor of Science in Microbiology. May 1973.

Additional Information

- Graduate of the 2003 Society for Information Management Regional Leadership Forum.
- Developed and patented an enhancement to the brewing processes.
- 15 year volunteer in community-based non-profit organizations.

Other Highlights

- Managed:
 - Support, maintenance and scaling for the MBC extranet
 - Support and maintenance for the Microsoft infrastructure
 - Design of plant floor AD/network
 - Year 2000 conversion with the client-server and Internet infrastructure
- Developed risk assessments for identity management and technical infrastructure
- Implemented systems management for field sales PDA's
- Developed Internet Security Policy and won compliance from TrueSecure
- Eliminated complexity and/or cost through:
 - Reduction in AIX servers and services
 - Simplification of email and virus environments
 - Elimination of Microsoft Management Server in lieu of Microsoft Information Integration Server and consolidation of distribution list management into one system

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(ITEM 20) From the Director, Human Resources, requesting authorization to create one position of Milwaukee Comptroller which will be an elected position in Milwaukee County, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Department of Human Resources requests the creation of 1.0 FTE Comptroller in the newly created Office of the Comptroller pursuant to Wisconsin Statutes; and

WHEREAS, to be eligible to hold the position of comptroller an individual must either be a certified public accountant, licensed or certified under Wis. Stats. Ch. 442 or hold a master’s or doctorate degree in accounting or finance from a regionally accredited, nonprofit, post-secondary educational institution; and

WHEREAS, the duties and responsibilities assigned to the comptroller are described in Wis. Stats. 59.255 and the Milwaukee County General Ordinance; and

WHEREAS, the County currently has a similar position of controller, which has been recommended for abolishment effective December 31, 2012, to allow adequate time for transition and knowledge transfer between the controller and comptroller; and

WHEREAS, the Department of Administrative Services - Fiscal Affairs Division recommends that the following request effective April 1, 2012, be approved to create 1.0 FTE Comptroller (TC TBD, PR 5511-NR); and

WHEREAS, at its meeting on March 8, 2012, the Committee on Finance and Audit recommended approval of the said request (vote 5-0); and

WHEREAS, at its meeting on March 9, 2012 the Committee on Personnel concurred with the recommendation of the Committee on Finance and Audit to approve (vote 6-0); now, therefore,

BE IT RESOLVED, that the following position action is approved, for the Office of the Comptroller effective April 1, 2012:

<u>Action</u>	<u>Title</u>	<u>No. of Positions</u>	<u>Pay Range</u>
Create	Comptroller	1.0	5511

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/16/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request to Create 1.0 FTE Comptroller position.

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	120,893	169,904
	Revenue	0	0
	Net Cost	120,893	169.904
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

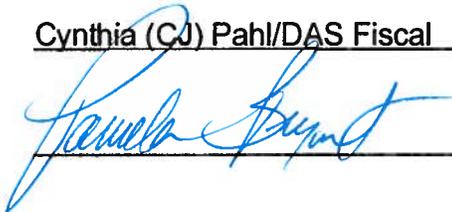
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

- A. The Department of Human Resources is requesting to create 1.0 FTE Comptroller to be compliant with Wisconsin Statutes.
- B. The proposed action would result in an increased cost in salary, social security and benefits of approximately \$120,893 in 2012 and an annual increased cost of \$169,904.
- C. The calculation assumed that the position would be filled with an annual salary of \$125,000 (pay grade 5511 – NR). The Office of the Comptroller will absorb the additional cost within their salary budget for 2012.
- D. The fiscal impact was calculated based on using a salary of \$125,000 and using the benefit rate included in the 2012 Budget. The current year cost estimated was based on an assumption that the new position would be filled beginning in pay period 10 of 2012. The 2013 full year cost assumes the same salary and benefit rate as 2012 and does not include any potential savings from the recommended abolishment of the controller position effective December 31, 2012.

Department/Prepared By Cynthia (CJ) Pahl/DAS Fiscal

Authorized Signature



Did DAS-Fiscal Staff Review?



Yes



No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 21) From the Director, Department of Health and Human Services, requesting authorization to abolish one Integrated Services Coordinator position, one Clerical Specialist Mental Health Division (MHD) position and one half-time (.5 FTE) Human Service Worker Mental Health (MH) position and create one Community Services Management Coordinator position and one Facilities Management Specialist position at the Behavioral Health Division, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the organizational needs of the Behavioral Health Division continue to change as the department undergoes the process of implementing several new initiatives which include the implementation of Electronic Medical Records (EMR), applying for Joint Commission Accreditation, working with the Mental Health Redesign Task Force, working towards the expansion of community based care and implementing Trauma Informed Care; and

WHEREAS, as a result of these initiatives, staffing needs to be realigned to better meet the needs of the department; and

WHEREAS, the Behavioral Health Division requests to abolish 1.0 FTE vacant Integrated Services Coordinator (Title Code 00057761, Pay Range 31), 1.0 FTE vacant Clerical Specialist MHD (Title Code 00001293, Pay Range 05P), .50 FTE vacant Human Service Worker MH (Title Code 56630, Pay Range 16C) and create 1.0 FTE Community Service Manager (Pay Range 27M) and 1.0 FTE Administrative Specialist MH NR (Pay Range 7PM) at the Behavioral Health Division (BHD); and

WHEREAS, the primary responsibility of the Administrative Specialist MH NR is to assist in the development and management of the preventative maintenance program; document BHD's compliance with Joint Commission related to the environment of care; manage the work order system; assist in management of the Operations area; monitor and report documentation for the following tests and systems within the BHD facility: paging system, utility system, water system, sprinkler system, smoke doors, fire drills and fire protection equipment and systems; track status of copiers, printers, faxes, scanners and multifunctional devices; and coordinate the maintenance of these devices; and

WHEREAS, the primary responsibility of the Community Service Manager is to maintain the efforts of the Mental Health Redesign Task Force; provide fiscal oversight and maintain the database for CSB funding streams ; identify and apply for additional funding sources; research emerging policy changes and evidence based practices and assist CSB leadership with implementation; serve as compliance officer for CSB activities related to any and all certifications and accreditations including Joint Commission; assist with the

44 coordination of a CSB annual report; and assist the department with maintenance of
45 ongoing quality improvement initiatives; and

46

47 WHEREAS, the requested position actions are necessary to ensure that the
48 department is able to achieve its goals and initiatives that are in process; and

49

50 WHEREAS, at its meeting on March 8, 2012, the Committee on Finance and Audit
51 recommended approval of the recommendation from the Department of Human Resources
52 (vote 6-0); and

53

54 WHEREAS, at its meeting on March 9, 2012, the Committee on Personnel
55 concurred with the recommendation of the Committee on Finance and Audit to approve
56 (vote 7-0); and

57

58 WHEREAS, the Department of Administrative Services, Fiscal Affairs recommends
59 that the following request effective March 15, 2012, be approved: abolish 1.0 FTE vacant
60 Integrated Services Coordinator (Title Code 00057761, Pay Range 31), 1.0 FTE vacant
61 Clerical Specialist MHD (Title Code 00001293, Pay Range 05P), .50 FTE vacant Human
62 Service Worker MH (Title Code 56630, Pay Range 16C) and create 1.0 FTE Community
63 Service Manager (Pay Range 27M) and 1.0 FTE Administrative Specialist MH NR (Pay
64 Range 7PM); now, therefore,

65

66 BE IT RESOLVED, that the following position actions are approved, for the
67 Behavioral Health Division effective March 15, 2012:

68

69	<u>Action</u>	<u>Title</u>	<u>No. of Positions</u>	<u>Pay Range</u>
70	Abolish	Integrated Services Coordinator	1	31
71	Abolish	Clerical Specialist MHD	1	05P
72	Abolish	Human Service Worker MH	1	16C
73	Create	Administrative Specialist MH NR	1	7PM
74	Create	Community Service Manager	1	27M

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/16/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request to abolish 1.0 FTE Integrated Services Coordinator (Title Code 00057761, Pay Range 31), 1.0 FTE Clerical Specialist MHD (Title Code 00001293, Pay Range 05P), .50 FTE Human Service Worker MH (Title Code 56630, Pay Range 16C) and create 1.0 FTE Community Service Manager (Pay Range 27M) and 1.0 FTE Administrative Specialist MH NR (Pay Range 7PM) within the Behavioral Health Division (BHD)

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input checked="" type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	-20,359	-29,407
	Revenue	0	0
	Net Cost	-20,359	-29,407
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. Approval of the request would abolish 1.0 FTE vacant Integrated Services Coordinator , 1.0 FTE vacant Clerical Specialist MHD, .50 FTE vacant Human Service Worker MH and create 1.0 FTE Community Service Manager and 1.0 FTE Administrative Specialist MH NR in the Behavioral Health Division.

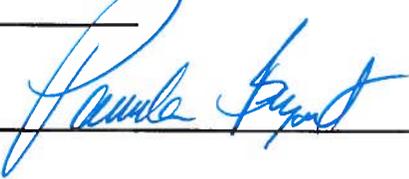
B. The estimated fiscal effect for 2012 related to the creation of 1.0 FTE Community Service Manager and 1.0 FTE Administrative Specialist MH NR including salary and active fringe benefits is \$107,687, which is completely offset by the cost to abolish 1.0 FTE Integrated Services Coordinator, 1.0 FTE Clerical Specialist MHD, and .50 FTE Human Service Worker MH including salary and active fringe benefits of \$129,177, resulting in a decrease in expenditures of \$20,359. The fiscal effect for 2013 is a decrease of \$29,407.

C. In 2012, the budgetary impact is a decrease in expenditures of \$20,359 and in 2013, the fiscal effect is a decrease of \$29,407

D. The 2012 cost mentioned above will be achieved assuming a start date of April 2, 2012 through December 31 at an hourly rate of \$24.99 for the Community Service Manager and \$20.32 for the Administrative Specialist MH NR . In addition, the fringe amounts used to calculate the position costs (\$15,441- Active Health, 15.92% Active Pension, and 7.65% Social Security) reflect the active fringe rates included in the 2012 Adopted Budget.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Antionette Thomas-Bailey

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 22) From the Interim Director, Employee Benefits, requesting an amendment to Section 201.24(8.2) of the Milwaukee County Code of General Ordinance as it pertains to membership on the Pension Board, by recommending adoption of the following:

A RESOLUTION/AMENDED ORDINANCE

WHEREAS, the Pension Board includes three members elected from amongst the active employees; and

WHEREAS, the Pension Board is supported by the staff of the Employees Retirement System office; and

WHEREAS, having elected employee members of the Pension Board who are also part of the support staff for the Pension Board can create conflicts of interest, confidentiality and loyalty concerns; and

WHEREAS, members have been appointed or confirmed to serve partial terms on the Pension Board and clarification is necessary to limit service on the Pension Board to two, full, three-year terms, not including any partial term of service; and

WHEREAS, members have served beyond the completion of their second three-year term as holdovers until a replacement has been confirmed, but such service is contrary to the term limit policy and clarification is necessary to prevent this practice; and

WHEREAS, members are required to have certain qualifications for appointment or election and codification of prior practice is appropriate to provide that members cannot continue to serve if, during the member's term, the member no longer possesses the qualifications applicable to the member's appointment or election such that the member would not be eligible for re-appointment or re-election; and

WHEREAS, the Pension Board must be able to operate when vacancies exist on the Board and the requirement of five votes for final decisions can prevent action when the Pension Board does not have full membership and is contrary to common practice for other bodies under Robert's Rules of Order; and

WHEREAS, at its meeting on January 26, 2012, the Committee on Finance and Audit recommended approval of the amendment and laid the item over for one cycle (vote 6-0); and

WHEREAS, at its meeting on January, 27, 2012, the Pension Study Committee concurred with the actions of the Finance and Audit Committee (vote 4-0); and

44 WHEREAS, at its meeting on January, 27, 2012, the Committee on Personnel
45 concurred with the actions of the Finance and Audit Committee (vote 7-0); and

46
47 WHEREAS, at its meeting on February 2, 2012, the County Board referred the item
48 back to the Committees on Finance and Audit and Personnel (vote 18-0); and

49
50 WHEREAS, at its meeting on March 8, 2012, the Committee on Finance and Audit
51 recommended approval of an amended resolution/ordinance incorporating amendment
52 number 2 (vote 4-2); and

53
54 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
55 amends Sections 201.24(8.2) and (8.5) of the Milwaukee County Code of General
56 Ordinances by adopting the following:

57
58 **AN AMENDED ORDINANCE**

59
60 The County Board of Supervisors of the County of Milwaukee does ordain as
61 follows:

62
63 **Section 1.** Section 201.24(8.2) of the General Ordinances of Milwaukee County is
64 amended as follows:

65
66 **8.2 Membership**

67
68 Members shall not serve more than two (2) consecutive, full three-year terms,
69 however, a member's service for a partial term of less than three full years in order for that
70 member to complete the balance of a three year term of a prior member is not included in
71 this limitation. A member having served two (2) terms may be eligible for re-election or re-
72 appointment after not having been a member for at least three (3) years from the last date of
73 service on the board. If re-appointed or re-elected, the members must adhere to the same
74 term limitation of two (2) consecutive three-year terms. A member may not continue to
75 serve if at any time the member does not possess the qualifications that would be
76 applicable to the member at the time of the member's appointment, election, re-
77 appointment or re-election. The board shall determine any question arising under this
78 section 8.2 concerning a member's qualification or eligibility to continue to serve as a
79 member.

80
81 None of the appointed members of the pension board nor any family members of
82 the appointed members of the pension board shall be participants in, or beneficiaries of,
83 the Milwaukee County Employee Retirement System. None of the appointed members of
84 the pension board shall have relationships or ties to any provider of services to the
85 Milwaukee County Retirement System, Milwaukee County Pension Board, or the
86 Milwaukee County Pension Study Commission.

88 No member shall be eligible to serve, or to continue serving, on the pension board
89 who has been found or determined by any Wisconsin governmental unit or agency to have
90 violated any provision of an applicable lobbying code or who has been convicted of any
91 crime of misconduct in office or any crime involving dishonesty or theft.

92
93 The membership of the board shall consist of the following:

- 94
95 (a) Three (3) members to be appointed by the county executive (subject to
96 confirmation by two-thirds (2/3) or more of the members-elect of the county
97 board), for a term of three (3) years.
98
99 (b) Two (2) members appointed by the county board chairperson (subject to the
100 confirmation of the county board and to county executive approval or veto,
101 with proceedings on veto), for a term of three (3) years.
102
103 (c) Four (4) elected members consisting of three (3) employee members and
104 one (1) retiree member who shall be members of the system and who shall
105 be elected by members of the system except for the retiree member who
106 shall be elected by retired members only for terms of three (3) years.
107 Effective for employee elections occurring after April 1, 2012 employees
108 who work for the Employees Retirement System, Department of Human
109 Resources or Corporation Counsel are not eligible for election to, or service
110 on, the pension board. The board may adopt rules and regulations
111 governing such election including a division of county employees into
112 groups for the purpose of electing one (1) employee member of the board
113 from among the employees of each group. Appointing authorities shall
114 ensure that the employee members of the pension board are released from
115 their work assignments to attend meetings of the pension board and any
116 other meeting related to pension board business for which public notice is
117 required which occurs during their regularly scheduled work shift.
118

119 **Section 2.** Section 201.24(8.5) of the General Ordinances of Milwaukee County is
120 amended as follows:

121
122 8.5 Decision vote.

123
124 Each member of the board shall be entitled to one (1) vote in the board. ~~Five (5)~~
125 ~~votes~~ The votes of a majority of the members present and voting, but no less than four (4)
126 votes, shall be necessary for a decision by the members of the board at any meeting of the
127 board.
128

129 **Section 3.** This ordinance shall be effective upon passage and publication.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: December 27, 2011

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request to amend Section 201.24(8.2) of the Milwaukee County Code of General Ordinances as it pertains to membership on the Pension Board.

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input checked="" type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
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Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A.) Approval of this request would amend Section 201.24(8.2) of the Milwaukee County Code of General Ordinances as it pertains to membership on the Pension Board. This ammendment would prohibit employees of ERS from serving on the body tasked with directing ERS. Further, the ammendment would alter the minimum number of affirmative votes required for the pension board to approve action. The mandatory quorum remains unchanged.

B.) The proposed change is intended to allow the Pension Board to carry out its fiduciary responsibilities despite vacancies that may occur due to pending appointments and elections. There is no cost to the County, other than time of existing staff.

C.) No budgetary impact

D.) None

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Matthew Hanchek, Interim Director - Employee Benefits

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 23) From the Director, Department of Administrative Services, recommending adoption of a resolution/ordinance to amend various sections of Chapter 32 of the Milwaukee County Code of General Ordinances as it pertains to the position of Procurement Director created in the 2012 Adopted Budget and its oversight of the Procurement Division, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Chapter 32 of the Milwaukee County Code of General Ordinances contains various provisions that relate to procurement functions and the 2012 Adopted Budget expanded the Procurement Division to include the areas of commodities, services, and contracts and created the position of Procurement Director to oversee these functions; and

WHEREAS, the Department of Administrative Services (DAS) is recommending approval of the proposed amendments to various sections of Chapter 32 of the Milwaukee County Code of General Ordinances to reflect actions included in the 2012 Adopted Budget related to creation of a Procurement Director responsible for oversight of the Procurement Division; and

WHEREAS, at its meeting on March 8, 2012, the Committee on Finance and Audit recommended approval of the said amendments to various sections of Chapter 32 (vote 6-0)

WHEREAS, at its meeting on March 9, 2012, the Committee on Personnel concurred with the actions of the Finance and Audit Committee to approved (vote 6-0); now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby amends Sections 32.21, 32.23, 32.24, 32.25, 32.26, 32.27, 32.285, 32.31, 32.38, 32.40, 32.42, 32.43, 32.44, 32.46, 32.47, 32.48, 32.49, 32.50, 32.51 of the Milwaukee County Code of General Ordinances by adopting the following:

AN ORDINANCE

The County Board of Supervisors of the County of Milwaukee does ordain as follows:

SECTION 1. Section 32.21, 32.23, 32.24, 32.25, 32.26, 32.27, 32.285, 32.31, 32.38, 32.40, 32.42, 32.43, 32.44, 32.46, 32.47, 32.48, 32.49, 32.50, 32.51 of the General Ordinances of Milwaukee County is hereby amended as follows:

40 32.21. - General administration.

41 The procurement division shall be directly supervised by the ~~purchasing administrator~~
42 procurement director, and its general policies shall be subject to the review of the director
43 of the department of administrative services, except for those matters under the jurisdiction
44 of the purchasing standardization committee.

45 32.23. - Purchasing standardization committee.

46 (1) There shall be a purchasing standardization committee composed of three (3) private
47 citizens: a representative of: the department of human resources, department of parks,
48 recreation and culture, department of public works and the sheriff's department. Each of
49 the departmental representatives shall be selected by the department head. The private
50 citizen members are to be appointed by the county executive for a term of four (4) years,
51 subject to the confirmation of the county board, and shall be residents of the county who
52 are knowledgeable in procurement. A representative of the corporation counsel's office
53 and the ~~purchasing administrator~~ procurement director or his or her designee shall be
54 technical advisers to the committee.

55 32.24. - Technical subcommittees.

56 The ~~purchasing administrator~~ procurement director or his or her designee shall coordinate
57 the organization and work of technical subcommittees, and act as liaison between them
58 and the purchasing standardization committee. Technical subcommittees shall be
59 composed of the procurement division buyer responsible for those commodities, and other
60 representatives having expertise therein.

61 32.25. - Purchasing and contracting procedure.

62 (1) Purchases of supplies, materials, equipment and contractual services shall be based on
63 competitive bids. Bids may be rejected when it is determined by the ~~purchasing~~
64 administrator procurement director or his or her designee that to award a contract would
65 not be in the best interest of the county. The method of evaluating bids and awarding
66 contracts shall be stated in each bid document. Contracts shall be awarded to the lowest,
67 qualified, responsive, responsible bidder. If equal low and responsive bids are received,
68 the ~~purchasing administrator~~ procurement director or his or her designee shall break the
69 tie by a lot drawing in the presence of a buyer and another member of the procurement
70 division at a specific time and date. The tied bidders shall receive written advance notice.

71 (2) *Discretionary purchases.* Any procurement having an estimated aggregate value of ten
72 thousand dollars (\$10,000.00) or less shall be made at the discretion of the buyer.

73 (3) *Open market purchase.* Any procurement having an estimated aggregate value in
74 excess of ten thousand dollars (\$10,000.00) and less than twenty-five thousand dollars
75 (\$25,000.00) shall be made by solicitation of three (3) quotations documented by the
76 buyer.

77 (4) *Informal purchases.* Any procurement having an estimated aggregate value of twenty-

78 five thousand dollars (\$25,000.00) and less than fifty thousand dollars (\$50,000.00) shall
79 be solicited from all vendors of the item on the vendor's list maintained by the
80 procurement division and the contract awarded by sealed bidding.

81 (5) *Formal purchases.* Any procurement having an estimated aggregate value of fifty
82 thousand dollars (\$50,000.00) or more shall have sealed bids solicited by public notice
83 inserted at least once on the official county web-site at least two (2) weeks before the bid
84 opening date, and by posting official notice on the procurement board in the procurement
85 division office for the same period. The procurement division shall solicit sealed bids by
86 mail from all vendors of the item on the vendor list maintained by the procurement
87 division.

88 (6) *Sealed bids.*

89 (a) All sealed bids shall be received in the office of the county clerk and transferred
90 to the procurement division at the time of bid opening, which shall be conducted in
91 public at a specified date, time and place.

92 (b) A summary of each bid, with the name of all bidders, shall be posted for public
93 inspection in the office of the procurement division during regular county business
94 hours for a period of not less than ten (10) days after award.

95 (c) A noncollusive statement requiring the signature of an authorized officer of the
96 bidder shall be included in each sealed bid. The ~~purchasing administrator~~
97 procurement director or his or her designee shall report suspected collusive bids to the
98 district attorney.

99 (7) *Exceptions.*

100 (a) Competitive bidding requirements of this chapter shall apply, except as follows:

101 (1) When, after soliciting sealed bids, it is determined by the ~~purchasing~~
102 ~~administrator~~ procurement director or his or her designee, and verified by the
103 purchasing standardization committee, that no valid bids have been received, the
104 purchasing standardization committee may authorize procurement without
105 competition.

106 (2) Purchases from a single source which, by their nature, are not adapted to
107 award by competitive bidding as determined by the ~~purchasing administrator~~
108 procurement director or his or her designee and approved by the purchasing
109 standardization committee.

110 (3) Purchases from any federal, state or local governmental unit or agency of
111 surplus materials, supplies, commodities or equipment, as approved by the
112 committee on financial and audit of the county board, and otherwise when
113 expressly authorized by the county board.

114 (4) Discretionary purchase of ten thousand dollars (\$10,000.00) or less as

115 authorized in subsection 32.25(2) of this section.

116 (5) Any contract for a public works construction project where the director of
117 public works or his/her designee has recommended, and the ~~purchasing~~
118 ~~administrator~~ procurement director or his or her designee has agreed in writing,
119 that the ~~purchasing administrator~~ procurement director or his or her designee
120 shall negotiate for the purpose of services, supplies, materials or equipment
121 needed for such project.

122 (b) Purchase of name brand items for resale may be awarded to other than the low
123 bidder.

124 (c) Purchases required for immediate budgeted repairs, exclusive of inventory items.

125 (d) Notwithstanding any other provisions of this chapter to the contrary, the
126 ~~purchasing administrator~~ procurement director or his or her designee shall have the
127 authority, in any situation where a contract is to be let through the bidding process, to
128 reserve such contract exclusively for vendors listed on the minority business enterprise
129 and women business enterprise list. In such event, the bid announcements shall
130 indicate such reservation, citing this subsection as authority therefor. Reservations by
131 the ~~purchasing administrator~~ procurement director or his or her designee may be on a
132 commodity basis or on an individual contract basis.

133 (e) Annually the county board shall adopt by resolution a recommended minimum
134 percentage goal for the participation of disadvantaged business enterprise vendors in
135 contracts awarded pursuant to chapter 32. Such goals are not mandatory; however,
136 the ~~purchasing administrator~~ procurement director or his or her designee shall make
137 diligent efforts to achieve or exceed such annual participation goals.

138 32.26. - Protest and appeal procedure.

139 Protests to any sealed bid, procurement or award recommended by the ~~purchasing~~
140 ~~administrator~~ procurement director or his or her designee may be made by any bidder
141 and/or using department head as follows:

142 (1) *Prior to bid opening:*

143 (a) Protests to form and content of bid documents shall be received by the
144 ~~purchasing administrator~~ procurement director or his or her designee not less
145 than five (5) days prior to the time scheduled for bid opening. A protest shall be
146 in writing and state the reason for it.

147 (b) The ~~purchasing administrator~~ procurement director or his or her designee
148 shall review protests and, if modification is necessary, the bid opening date shall
149 be extended and addenda containing the changes shall be sent to each bidder. If
150 modification is rejected, the protestor shall be notified. The decision of the
151 ~~purchasing administrator~~ procurement director or his or her designee is final.

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(2) *After bid opening:*

(a) Protests concerning irregularities on sealed bid opening procedures, or compliance by bidders with bid documents, shall be received by the ~~purchasing administrator~~ procurement director or his or her designee within seventy-two (72) hours after time of bid opening.

(b) When a sealed bid is awarded to other than the low bidder, all bidders shall be notified in writing by certified mail, return receipt requested, or by fax machine transmission, of the proposed award. Protests to the award must be delivered to the ~~purchasing administrator~~ procurement director or his or her designee within seventy-two (72) hours after receipt of notice. The ~~purchasing administrator's~~ procurement director's or his or her designee's copy of the fax transmission cover sheet, or the department's fax log, shall be conclusive proof of the time and date of receipt by a bidder.

(c) A protest under either subsection (a) or (b) must be in writing and state the reason for it. The ~~purchasing administrator~~ procurement director or his or her designee shall review the protest and notify the protestor of a decision in writing by fax, within five (5) days. No contract shall be awarded while a protest is pending. A protest which is untimely, fails to state the reason for it or shall have been made prior to bid opening is invalid. The decision of the ~~purchasing administrator~~ procurement director or his or her designee disqualifying the protest for these reasons is final and cannot be appealed.

(3) *Appeals to purchasing standardization committee:*

(a) Protests from decisions of the ~~purchasing administrator~~ procurement director or his or her designee shall be made to the purchasing standardization committee by delivering a written request for appeal hearing both to the procurement division and the committee within seventy-two (72) hours after receipt of the ~~purchasing administrator's~~ procurement director's or his or her designee's decision.

(b) The request shall state the grounds upon which the protest is based and shall request an appeal hearing. No contract shall be awarded until final disposition of the protest.

(c) The chairperson of the committee shall notify all interested persons of the time and place of the hearing.

(d) The committee shall affirm, reverse or modify the decision of the ~~purchasing administrator~~ procurement director or his or her designee and its decision shall be final.

32.27. - Delegation of purchasing authority.

Any department may be delegated by the ~~purchasing administrator~~ procurement director or

190 his or her designee, in writing, to purchase supplies, materials or services. Such delegation
191 shall remain in effect until rescinded, in writing, by the ~~purchasing administrator~~
192 procurement director or his or her designee and shall comply with the following
193 regulations:

194 (1) No procurement shall exceed two thousand dollars (\$2,000.00), including any
195 freight and any handling charges.

196 (2) Purchasers shall use county-wide blanket contracts.

197 (3) This authority shall not be used to circumvent bulk purchases of any item by
198 repeated purchases in the amounts of two thousand dollars (\$2,000.00) or less.

199 (4) All procurement forms and procedures shall be approved by the ~~purchasing~~
200 ~~administrator~~ procurement director or his or her designee prior to use. The
201 purchasing card is an acceptable alternative to written forms if approved by the
202 ~~purchasing administrator~~ procurement director or his or her designee.

203 32.285. - Procurement of items of apparel.

204 (1) *Policy.* The county chooses to allocate its purchasing dollars related to wearing
205 apparel to enhance the economic and social well-being of people, while acquiring the best
206 possible quality goods at the lowest cost.

207 (2) *Definitions.* As used in this section:

208 (a) "Apparel" means all items of clothing and cloth produced by weaving, knitting
209 and felting, and shall include uniforms, coveralls, footwear, linens and entrance mats.

210 (b) "Manufacture" means to process, fabricate, assemble, treat or package.

211 (c) "Non-poverty wage" means the following for:

212 1. Domestic manufacturers. A base hourly wage adjusted annually to the
213 amount required to produce, for two thousand eighty (2,080) hours worked, an
214 annual income equal to or greater than the U.S. Department of Health and
215 Human Services' most recent poverty guideline for a family of three (3) plus an
216 additional twenty (20) percent of the wage level paid either as hourly wages or
217 health benefits.

218 2. Outside the United States. A nationwide wage and benefit level which is
219 comparable to the non-poverty wage for domestic manufacturers as defined in
220 subdivision 1 after being adjusted to reflect the country's level of economic
221 development by using a factor such as the relative national standard of living
222 index in order to raise a family of three (3) out of poverty. In addition, workers
223 shall not be subject to disciplinary wage deductions.

224 (d) "Responsible manufacturer" means an establishment engaged in manufacturing,

- 225 distributing, laundering or dry cleaning that can demonstrate all of the following:
- 226 1. Compliance with all applicable local and international labor laws and
227 workplace regulations regarding wages and benefits, workplace health and safety,
228 as well as the fundamental conventions of the international labor organization,
229 including those regarding forced and child labor and freedom of association.
 - 230 2. Payment to its employes of non-poverty wages as defined in subsection (c)1.
231 for domestic manufacturers and subsection (c)2. for manufacturers located
232 outside of the United States.
 - 233 3. Termination of its employes only with just cause.
 - 234 4. Establishment of a mechanism for the resolution of workplace disputes.
- 235 (3) *Requirements.*
- 236 (a) *Application.* Contracting departments shall award contracts in excess of five
237 thousand dollars (\$5,000.00) relating to the purchasing, renting, laundering and dry
238 cleaning of items of apparel to responsible manufacturers.
 - 239 (b) *Affidavits.*
 - 240 1. No contracts for the purchasing, renting, laundering and dry cleaning of
241 items of apparel shall be entered into by contracting departments unless the
242 lowest responsible bidders first submit to the ~~purchasing director~~ procurement
243 director or his or her designee sworn reports or affidavits which include the
244 following information for the specified time periods of the contracts:
 - 245 a. The names and addresses of the companies and facilities in which the
246 items of apparel have been or will be manufactured, distributed, laundered
247 or dry cleaned.
 - 248 b. The names and addresses of all owners of the facilities in which the
249 items of apparel have been or will be manufactured, distributed, laundered
250 or dry cleaned.
 - 251 c. The base hourly wage and the percent of wage level paid as health
252 benefits for persons working at the facilities in which the items of apparel
253 have been or will be manufactured or distributed, laundered or dry cleaned.
 - 254 d. Sworn statements by the contractors that facilities identified pursuant to
255 this paragraph are responsible manufacturers as defined in subsection (2)(d).
 - 256 e. Any other information deemed necessary by the ~~purchasing director~~
257 procurement director or his or her designee for the enforcement of this
258 section.
 - 259 2. Contractors shall procure and submit sworn reports or affidavits from every

260 subcontractor employed by the contractor during the specified time period of the
261 contract for the fulfillment of contracts covered under this section.

262 3. In the event that any information provided by the contractor or
263 subcontractor pursuant to this paragraph changes during the specified time period
264 of the contract, the contractor shall submit or cause to be submitted to the
265 ~~purchasing director~~ procurement director or his or her designee sworn reports or
266 affidavits relating to the updated information.

267 4. The ~~purchasing director~~ procurement director or his or her designee shall
268 maintain and make available for public inspection any sworn report or affidavit
269 submitted pursuant to this paragraph.

270 (4) *Contract bid specifications.* Contracting departments shall add a digest of the
271 provisions of this section to all specifications for apparel purchasing, renting, laundering
272 and dry cleaning upon which they issue invitations to bid.

273 (5) *Specification for apparel contracts.* No contract for the purchasing, renting, laundering
274 and dry cleaning of items of apparel covered under this section shall be entered into by the
275 county unless the contract contains a stipulation stating that the contractor agrees to
276 provide in fulfillment of the contract items of apparel which have been manufactured,
277 laundered and dry cleaned by responsible manufacturers, and that the contractor agrees to
278 include an equivalent stipulation in all subcontracts.

279 (6) *Monitoring and enforcement.*

280 (a) *Responsibility.* The business operations division—procurement services section—
281 department of administration shall be responsible for monitoring contracts for
282 compliance with this section. The department shall review and monitoring contracts
283 for compliance with this section. The department shall review and monitor the sworn
284 reports or affidavits submitted by apparel contractors, receive and investigate
285 complaints relating to compliance with this section, and impose appropriate sanctions
286 upon any contractor who provides false information to the department or fails to
287 comply with the provisions of this section.

288 (b) *Notice.* The department shall provide in a timely manner notice and related
289 documentation regarding the following:

290 1. The issuance of invitations to bid and the awarding of contracts relating to
291 the purchasing, renting, laundering and dry cleaning of times of apparel covered
292 by this section.

293 2. The receipt of sworn reports or affidavits submitted pursuant to section 3(b).

294 (c) *Sanctions.* Any contractor or subcontractor engaged in an apparel contract who
295 has been found by the business operations division-procurement services section-
296 department of administration to have submitted any false, misleading or fraudulent
297 information, or to have failed to comply with the provisions of this section, may be

298 subject to any of the following sanctions imposed by the business operations division:

299 1. Withholding of payments.

300 2. Termination, suspension or cancellation of the contract in whole or in part.

301 3. After a due process hearing, denial of the right of the contractor or
302 subcontractor to bid on future county contracts, by himself or herself, partner or
303 agent, or by any corporation of which he or she is a member, for a period of one
304 (1) year after the first violation is found and for a period of three (3) years after a
305 second violation is found.

306 (7) *Waiver*. The requirements of this section may be waived in writing by the ~~purchasing~~
307 ~~director~~ procurement director or his or her designee if any of the following are true:

308 (a) All bidders to a contract are deemed ineligible under this section.

309 (b) The contract is necessary in order to respond to an emergency endangers the
310 public health and safety, and no contractor who complies with the requirements of
311 this section is immediately capable of responding to the emergency.

312 32.31. - Cooperative purchasing.

313 The procurement division is authorized to join with other units of government, and with
314 quasigovernmental agencies funded in whole or in part by the county, in cooperative
315 purchasing plans when in the best interests of the county as determined by the ~~purchasing~~
316 ~~administrator~~ procurement director or his or her designee. Each of the participating units or
317 agencies shall issue its own purchase order and be separately invoiced by the vendors for
318 purchases made under such plans. The county shall not be obligated for purchases other
319 than those required for its own use.

320 32.38. - Converting from sealed bidding to negotiation procedures.

321 When the ~~purchasing administrator~~ procurement director or his or her designee has
322 determined that a sealed bid is to be canceled and that use of negotiations is appropriate to
323 complete the acquisition, the ~~purchasing administrator~~ procurement director or his or her
324 designee may negotiate and make award without issuing a new solicitation subject to the
325 following conditions:

326 (1) Prior notice of intention to negotiate and a reasonable opportunity to negotiate
327 have been given by the ~~purchasing administrator~~ procurement director or his or
328 her designee to each responsive, responsible bidder that submitted a bid in
329 response to the invitation for bids;

330 (2) The negotiated price is the lowest negotiated price offered by any responsible
331 bidder; and

332 (3) The negotiated price is lower than the lowest rejected bid price of a responsive,

333 responsible bidder that submitted a bid. However, this paragraph (3) does not
334 apply if the invitation was canceled and all bids were rejected.

335 32.40. - General.

336 (1) Requests for proposals (RFPs) are used in negotiated acquisitions to communicate
337 county requirements to prospective vendors and to solicit proposals from them.
338 Solicitations shall contain the information necessary to enable prospective vendors to
339 prepare proposals properly. Solicitation provisions and contract clauses may be
340 incorporated into the solicitations and contracts by reference.

341 (2) The ~~purchasing administrator~~ procurement director or his or her designee shall
342 furnish identical information concerning a proposed acquisition to all prospective vendors.

343 (3) The ~~purchasing administrator~~ procurement director or his or her designee shall solicit
344 proposals only when there is a definite intention to award a contract.

345 32.42. - Evaluation factors.

346 RFPs shall identify all evaluation factors and their relative importance. Numerical weights,
347 which may be employed in the evaluation of proposals, need not be disclosed in
348 solicitation. Proposals shall be evaluated solely on the factors specified in the solicitation.
349 The factors that will be considered in evaluating proposals shall be tailored to each
350 procurement and include only those factors that will have an impact on the source
351 selection decision. The evaluation factors that apply to an acquisition and the relative
352 importance of those factors are within the broad discretion of the ~~purchasing administrator~~
353 procurement director or his or her designee. However, price or cost to the county shall be
354 included as an evaluation factor in every source selection. Quality also shall be addressed
355 in every source selection. In evaluation factors, quality may be expressed in terms of
356 technical excellence, management capability, personnel qualifications, prior experience,
357 past performance and schedule compliance. Other relevant factors may also be included.

358 32.43. - Right to award without negotiations.

359 If so stated in the RFP, the ~~purchasing administrator~~ procurement director or his or her
360 designee may make an award on the basis of the original proposals, without negotiation
361 with any offeror. If the ~~purchasing administrator~~ procurement director or his or her
362 designee conducts negotiations at all, however, then negotiations must be conducted with
363 all offerors in the competitive range.

364 32.44. Pre-proposal conferences.

365 (1) A pre-proposal conference may be held to brief prospective offerors after a solicitation
366 has been issued but before offers are submitted. Generally these conferences should be
367 used in complex negotiated procurements to explain or clarify complicated specifications
368 and requirements.

369 (2) The ~~purchasing administrator~~ procurement director or his or her designee shall decide

370 if a pre-proposal conference is required and make the necessary arrangements, including
371 the following:

372 (a) If notice was not in the solicitation, give all prospective offerors who received the
373 solicitation adequate notice of the time, place, nature, and scope of the conference.

374 (b) If time allows, request prospective offerors to submit written questions in
375 advance. Prepared answers can then be delivered during the conference.

376 (c) Arrange for technical and legal personnel to attend the conference, if appropriate.

377 (3) ~~The purchasing administrator~~ procurement director or his or her designee or a
378 designated representative shall conduct the pre-proposal conference, furnish all prospective
379 offerors identical information concerning the proposed acquisition, make a complete
380 record of the conference, and promptly furnish a copy of that record to all prospective
381 offerors. Conferees shall be advised that:

382 (a) Remarks and explanations at the conference shall not qualify the terms of the
383 solicitation; and

384 (b) Terms of the solicitation and specifications remain unchanged unless the
385 solicitation is amended in writing.

386 32.46. - Late proposals and modifications.

387 (1) When a proposal or modification is received and it is clear from available information
388 that it cannot be considered for award, the ~~purchasing administrator~~ procurement director
389 or his or her designee shall promptly notify the offeror that it was received late and will not
390 be considered.

391 (2) Late proposals and modifications that are not considered shall be held unopened,
392 unless opened for identification, until after award and then retained with other
393 unsuccessful proposals.

394 (3) The ~~purchasing administrator~~ procurement director or his or her designee shall retain
395 complete and sole discretion to waive the requirements of subparagraphs (1) and (2),
396 above, if such waiver is deemed to be in the best interests of the county. Such decision of
397 the ~~purchasing administrator~~ procurement director or his or her designee is not subject to
398 appeal to the purchasing standardization committee.

399 32.47. - Disclosure and use of information before award.

400 (1) After receipt of proposals, none of the information contained in them or concerning
401 the number or identity of offerors shall be made available to the public or to anyone in
402 county government.

403 (2) During the pre-award or pre-acceptance period of a negotiated procurement, only the
404 ~~purchasing administrator~~ procurement director or his or her designee of designee, and

405 other specifically authorized shall transmit technical or other information and conduct
406 discussions with prospective vendors. Information shall not be furnished to a prospective
407 vendor if, alone or together with other information, it may afford the prospective vendor an
408 advantage over others. However, general information that is not prejudicial to others may
409 be furnished upon request.

410 (3) Prospective vendors may place restrictions on the disclosure and use of data in
411 proposals. The ~~purchasing administrator~~ procurement director or his or her designee shall
412 not exclude proposals from consideration merely because they restrict disclosure and use
413 of data, nor shall they be prejudiced by that restriction. The portions of the proposal that
414 are so restricted (except for information that is also obtained from another source without
415 restriction, or information required to be disclosed to county auditors) shall be used only
416 for evaluation and shall not be disclosed outside the county without the permission of the
417 prospective vendor.

418 32.48. - Best and final offer.

419 After negotiations are concluded each offeror in the competitive range shall be required to
420 submit a best and final offer at a uniform cutoff date and time. Best and final offers received
421 after the uniform cutoff date and time may be rejected without right of appeal. The
422 ~~purchasing administrator~~ procurement director or his or her designee may, in his or her
423 sole discretion, waive this provision if waiver is deemed to be in the best interests of the
424 county, and such decision is not subject to appeal to the purchasing standardization
425 committee.

426 32.49. - Awards.

427 In awarding a contract, price is but one (1) factor to be considered, and the award is not
428 required to be made to the lowest responsive, responsible bidder. Awards shall be made to
429 the responsive, responsible firm whose proposal overall is the most advantageous to the
430 county, as determined in the sole opinion of the ~~purchasing administrator~~ procurement
431 director or his or her designee. The county reserves the right to reject all proposals if the
432 ~~purchasing administrator~~ procurement director or his or her designee, in his or her sole
433 discretion, determines such rejection to be in the public interest. Such rejection is not
434 subject to appeal to the purchasing standardization committee.

435 32.50. - Protests to awards.

436 (1) All unsuccessful offerors shall be notified by fax machine transmission of the pending
437 contract award. Protest to the award must be delivered to the ~~purchasing administrator~~
438 procurement director or his or her designee within seventy-two (72) hours after receipt of
439 notice. The ~~purchasing administrator's~~ procurement director's or his or her designee's
440 copy of the fax transmission cover sheet, or the departments fax log, shall be conclusive
441 proof of the time and date of receipt by the offeror.

442 (2) A protest must be in writing and clearly state the reason for it. The ~~purchasing~~
443 ~~administrator~~ procurement director or his or her designee shall review the protest and

444 notify the protestor of a decision by fax machine transmission within five (5) days. No
445 contract shall be awarded while a protest is pending. A protest that is untimely or fails to
446 clearly state the reason for the protest is invalid. The ~~purchasing administrator's~~
447 procurement director's or his or her designee's copy of the fax transmission cover sheet, or
448 the departments fax log, shall be conclusive proof of the time and date of receipt by the
449 offeror.

450 (3) The decision of the ~~purchasing administrator~~ procurement director or his or her
451 designee disqualifying the protest for these reasons is final and cannot be appealed.

452 32.51. - Appeals to purchasing standardization committee.

453 (1) Except as provided in sections 32.46(3), 32.49 and 32.50(3), protests from decisions of
454 the ~~purchasing administrator~~ procurement director or his or her designee shall be made to
455 the purchasing standardization committee by delivering a written request for appeal
456 hearing both to the procurement division and the purchasing standardization committee
457 within seventy-two (72) hours after receipt of the ~~purchasing administrator's~~ procurement
458 director's or his or her designee's decision.

459 (2) The request shall state the grounds upon which the protest is based and shall request
460 an appeal hearing. No contract shall be awarded until final disposition of the protest.

461 (3) The chairman of the purchasing standardization committee shall notify all interested
462 persons of the time and place of the hearing.

463 (4) The purchasing standardization committee shall affirm, reverse or modify the decision
464 of ~~purchasing administrator~~ procurement director or his or her designee and its decision
465 shall be final.

466 **SECTION 2. This ordinance shall become effective upon publication.**
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/16/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request to amend Chapter 32 of the Milwaukee County Code of General Ordinances as it pertains to the position of Procurement Director created in the 2012 Adopted Budget and its oversight of the Procurement Division

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|---|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

- A. The 2012 Adopted Budget included creation of the position of Procurement Director. Chapter 32 of the Milwaukee County Code of General Ordinances is being revised to reflect the creation of this position and its oversight of the Procurement Division.
- B. No fiscal impact results from approval of the proposed action as the position of Procurement Director was created and funded as a part of the 2012 Adopted Budget.
- C. No fiscal impact results in the current year from approval of the proposed action as the position of Procurement Director was created and funded as part of the 2012 Adopted Budget.
- D. The proposed action is undertaken to ensure Chapter 32 of the Milwaukee County Code of General Ordinances is consistent with actions included in the 2012 Adopted Budget related to the Procurement Division.

Department/Prepared By James H. Martin

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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ITEM 24) From the Director, Department of Human Resources requesting authorization to incorporate AFSCME Collective Bargaining Agreement provisions into and amend various sections of the ordinances that pertain to compensation and fringe benefits, by recommending adoption of the following:

A RESOLUTION/ORDINANCE

WHEREAS, 2011 Wis. Act 10 and other state laws have resulted in collective bargaining for most county employee unions limited to base wages; and

WHEREAS, collective bargaining agreements with non-public safety employees have contained numerous compensation and fringe benefit provisions that have been agreed to by Milwaukee County with the respective unions and have been adhered to for many years; and

WHEREAS, Milwaukee County has enacted some ordinance amendments containing policies related to some compensation and fringe benefits of union members, but that Milwaukee County has not yet reviewed and enacted policies with respect to all compensation and fringe benefit subjects covered by the AFSCME 2007-08 collective bargaining agreement; and

WHEREAS, continuation of longstanding compensation and fringe benefit policies will avoid administrative and employee upheaval and confusion; and

WHEREAS, as a result of adoption of these amendments, all financial subjects covered by the AFSCME 2007-08 collective bargaining agreement will be addressed in the ordinances; and

WHEREAS, at its meeting on March 8, 2012, the Committee on Finance and Audit made no recommendation as a result of a tie vote on a motion to approve (vote 3-3); now, therefore,

BE IT RESOLVED, that Milwaukee County will no longer honor any provision of any collective bargaining agreement with AFSCME, and

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors hereby amends Sections 17.015, 17.055, 17.085, 17.14, 17.165, 17.17, 17.172, 17.176, 201.24(2.8), 201.24(4.1), 201.24(5.1), 201.24(5.15), and 201.24(5.16) of the Milwaukee County Code of General Ordinances by adopting the following:

42 AN ORDINANCE

43
44 The County Board of Supervisors of the County of Milwaukee does ordain as
45 follows:

46
47 **Section 1.** Section 17.015 is repealed in its entirety as follows:

48
49 ~~17.015. Continuation of certain compensation and fringe benefits for former members of~~
50 ~~AFSCME~~

51 ~~(1) — This ordinance is effective upon the decertification by the Wisconsin Employment~~
52 ~~Relations Commission, pursuant to ERC 73.01, 73.03(7)(b) and any other applicable~~
53 ~~provision of the Wisconsin Administrative Code, of the American Federation of State,~~
54 ~~County and Municipal Employees (AFSCME) as a collective bargaining unit and as the~~
55 ~~bargaining representative for its members.~~

56 ~~(2) — Notwithstanding any provision of these ordinances to the contrary, for employees~~
57 ~~who were represented by AFSCME as of January 30, 2012, all provisions of the 2007-08~~
58 ~~collective bargaining agreement between AFSCME and Milwaukee County are adopted by~~
59 ~~reference and incorporated herein, except as set forth in the following paragraph, until~~
60 ~~such time that the County Board of Supervisors and the County Executive can consider~~
61 ~~other action~~

62 ~~(3) — The following sections of the AFSCME 2007-08 Collective Bargaining Agreement~~
63 ~~have already been addressed, as noted parenthetically below, by the County Board and~~
64 ~~County Executive, and therefore, are not incorporated herein and are excepted from the~~
65 ~~provisions of the preceding paragraph:~~

66 ~~—— (a) — 2.03 Salary Increment (M.C.O. 17.10)~~

67 ~~(b) — 2.04 Overtime (M.C.O. 17.16)~~

68 ~~(c) — 2.14 Auto Allowance (M.C.O. 5.06)~~

69 ~~(d) — 2.16 Contribution to Retirement System (M.C.O. Chapter 201.24 (3.11)~~
70 ~~Employee Contribution, (3.3) Employee Membership Accounts, (3.5)~~
71 ~~Refunds, upon severance or death)~~

72 ~~(e) — 2.17(1)(b)(c) and (d), and 2.17(2) Retirement Benefits (M.C.O. Chapter~~
73 ~~201.24 (2.18) Normal Retirement Age, (4.1) Normal Retirement, (5.1)~~
74 ~~Normal Pension)~~

75 ~~(f) — 2.17(8) Sick Allowance Balance on Retirement, upon adoption of resolution~~
76 ~~11-20 (M.C.O. 17.184).~~

77 ~~(g) — 2.18 Life Insurance (M.C.O. Chapter 62 Life Insurance)~~

- 78 ~~(h) — 2.19 Employee Health Insurance (M.C.O. 17.14 (7) Milwaukee County~~
79 ~~Group Health Benefit Program)~~
- 80 ~~(i) — 2.192 Dental Insurance (M.C.O. 17.14 (9) County Dental Benefit Plan)~~
- 81 ~~(j) — 3.02 Full Time Representative~~
- 82 ~~(k) — 3.15 Fair Share Agreement (Wisconsin Act 10 and Act 32, no longer allow~~
83 ~~for the collection of union dues on bargaining agreements that have expired.)~~
- 84 ~~(l) — 3.16 Voluntary Political Contributions (halted as a result of Act 10 and Act~~
85 ~~32)~~
- 86 ~~(m) — 4.01 Resolution of Disputes, 4.02 Grievance Procedure, 4.05 Selection of and~~
87 ~~Appeals to Umpire and 4.06 Disciplinary Suspensions not Appealable under~~
88 ~~S. 63.10, Wis. Stats. (Civil Service Rules, M.C.O. 17.207 and Wis. Stats.~~
89 ~~63.10)~~

90

91 **Section 2.** Section 17.055 of the General Ordinances of Milwaukee County is amended as
92 follows:

93

94 17.055. - Reallocation of existing nonrepresented classifications, with the exception of
95 elected officials and constitutional officers and reallocation of existing represented
96 classifications where not provided for, or provided differently, in an applicable collective
97 bargaining agreement.

98 Whenever labor market conditions or other factors indicate that compensation for existing
99 classifications is not sufficient to recruit and retain qualified employees a department head
100 or appointing authority may request the director of human resources to review the
101 compensation provided for the classification:

102 (1) The director of human resources shall review the request and inform the requestor of
103 his/her findings. All recommendations of the director to reallocate a nonrepresented
104 classification or a represented classification where not provided for, or provided
105 differently, in an applicable collective bargaining agreement shall be included in a report
106 distributed to all county board supervisors. In the event the requestor does not concur
107 with the director's recommendation it may be appealed to the committee on personnel
108 within thirty (30) days of receipt of such notice. The decision of the county board on the
109 committee recommendation, subject to review by the county executive, shall be final. In
110 the event the county board approves an adjustment in the level of compensation for a
111 classification the action shall be implemented the first day of the pay period following
112 that in which the resolution adopted by the county board is approved by the county
113 executive.

114

115 **Section 3.** The introduction to Section 17.085 and 17.085(4) of the General Ordinances
116 of Milwaukee County are amended as follows:

117

118 17.085. Temporary Assignment to a Higher Classification. ~~Nonrepresented e~~Employees
119 may be assigned to perform the duties of a position in a higher classification and shall be
120 paid as though promoted to the higher classification under the following conditions:

121 (4) ~~This section shall not apply to positions represented~~ covered by certified bargaining
122 representatives a collective bargaining unit unless provided for, or provided differently, in
123 an applicable collective bargaining agreement.
124

125 **Section 4.** Section 17.14(2) of the General Ordinances of Milwaukee County is repealed in
126 its entirety and re-created as follows:

127

128 (2) **Payment for part-time employment.**

129 ~~(a) Whenever necessary to maintain essential services, one (1) or more employees~~
130 ~~may be assigned to any full-time position on a part-time basis and, when performing part-~~
131 ~~time services, they shall be paid on an hourly basis determined by dividing the biweekly~~
132 ~~rate by eighty (80). The total of the designated workweek hours for the employees so~~
133 ~~assigned to any full-time position shall not exceed forty (40) hours.~~

134 ~~(b) Whenever necessary to engage employees for seasonal work in the parks, such~~
135 ~~employees may be paid on an hourly basis equivalent to the biweekly compensation~~
136 ~~divided by eighty (80), provided that the total annual hours of employment shall not~~
137 ~~exceed two thousand eighty (2,080) and provided further that they shall receive~~
138 ~~increments in the compensation range after the completion of employment totaling two~~
139 ~~thousand eighty (2,080) hours until the maximum salary is reached.~~

140 ~~(c) In specified part-time positions, the department head and the commission may~~
141 ~~recommend to the county board the proportion of the full-time compensation which shall~~
142 ~~be paid for such service and the county board shall determine the proportion to be paid.~~

143 (a) A "part-time" employee shall mean an employee who is appointed to a
144 position with a designated work week of at least twenty (20) hours per week, but less than
145 forty (40) hours per week.

146 (b) An "hourly" employee shall mean an employee who is employed in a position
147 with a designated work week of less than twenty (20) hours per week, or who does not
148 work a uniform period of time within each pay period or who works a uniform period of
149 time of less than twenty (20) hours per week. Hourly employees shall have no expectation
150 of any number of hours of work in any given week or at any time.

151

152 **Section 5.** Section 17.14(6) of the General Ordinances of Milwaukee County is amended
153 as follows:

154 (6) Extra payment for shift assignment. Employees in the classified service, including those in
155 the building and mechanical trades group in section 17.32(2)(c), except part-time and

156 seasonal employes, employes paid on an hourly or per call basis; ~~E~~, employes in title codes
157 347, 352, 352.6, 353, 356, 357, 358, 359, 360, 361.2, 361.5, 361.7, 362.1, 371.5, 372,
158 375, 376, 377, 378, 615, 616, 617, 618, 618.1, 642, 642.1, and 742, employes in the
159 executive compensation plan and employes in pay range 30M or above, shall receive a
160 shift differential of ~~thirty five cents (\$0.35)~~ forty cents (\$0.40) per hour for all hours worked
161 during shifts beginning at or after 2:30 p.m. and ending at or before 7:15 a.m., unless
162 otherwise as may be provided for in collective bargaining unit agreements. Any
163 nonrepresented supervisory nursing or laboratory employe who supervises employes
164 represented by the Federation of Nurses and Health Professionals, shall receive the same
165 extra payment for shift assignment as do employes covered by the Federation of Nurses
166 and Health Professionals collective bargaining agreement. Employes, whose shifts do not
167 begin or end as indicated above are to be paid ~~thirty five cents (\$0.35)~~ forty cents (\$0.40)
168 per hour for all hours worked between 6:00 p.m. and 7:00 a.m. However, no shift
169 differential payment shall be made for any fraction less than ~~one-half~~ one-tenth (1/10) hour
170 worked, and said ~~thirty five cents (\$0.35)~~ forty cents (\$0.40) per hour shall not be
171 considered as part of the salary for purposes of computing vacation, sick leave or holiday
172 rates of pay. Shift differential shall be paid at \$.40 per hour even when hours qualify for
173 overtime compensation.

174
175 **Section 6.** Section 17.14(7) of the General Ordinances of Milwaukee County is amended
176 as follows:

177
178 (bb) The provisions of C.G.O. 17.14(7) shall not apply to seasonal and hourly employes.
179 ~~An h~~Hourly employe shall have the same meaning as defined in C.G.O. 17.14(2)(b). ~~be~~
180 ~~considered to be one who does not work a uniform period of time within each pay period~~
181 ~~and shall include an employe who works a uniform period of time of less than twenty (20)~~
182 ~~hours per week.~~

183
184 **Section 7.** Section 17.14(10) of the General Ordinances of Milwaukee County is amended
185 as follows:

186
187 (a) Employes who are required to wear uniforms shall be allowed uniform ~~allowances~~
188 reimbursements as follows:
189 (1) Deputy sheriff lieutenants, deputy sheriff captains, deputy sheriff deputy
190 inspector, communications supervisor (sheriff's department), director/internal affairs,
191 identification bureau supervisor, investigator (exempt), and chief investigator
192 (exempt) shall be paid an annual clothing ~~allowance~~ reimbursement equal to the
193 amount paid to deputy sheriff I's and II's and deputy sheriff sergeants.
194 (2) ~~Museum security officer III shall be provided the full initial issue of required~~
195 ~~uniforms, plus an annual allowance equal to that of museum security officers I and~~
196 ~~II, to be paid on a monthly basis for each calendar month in which they perform~~
197 ~~services requiring the wearing of a complete uniform.~~
198 (3)~~(2)~~ The airport fire chief and assistant airport fire chief shall be furnished a full
199 uniform at the time of hire or as soon thereafter as practicable if no uniform had

200 previously been issued. The uniform so furnished shall be in accordance with the
201 regulations of the department setting forth prescribed minimum equipment for each
202 employe. Any employe whose employment is terminated within two (2) years from
203 the date of hire shall return all uniform items furnished by the county to the
204 department within seven (7) days of termination. After completion of one (1) year of
205 service, after obtaining authorized uniform, an annual clothing ~~allowance~~
206 reimbursement equal to the amount paid firefighter and equipment operators and
207 firefighter and equipment operators in charge shall be paid.

208 ~~(4)~~(3) Custodial workers I and II at the airport who are employed on a full-time basis
209 and who are required to wear a uniform shall be paid a uniform ~~allowance~~
210 reimbursement as institutional employes after six (6) months of service and at the
211 completion of each year of service thereafter.

212 ~~(5)~~(4) Institutional employes, medical interns, resident physicians, and LPNs who
213 are employed on a full-time basis and who are required to wear a uniform, except
214 those who receive some type of uniform ~~allowance~~ reimbursement under paragraph
215 (a) hereof, shall be paid a uniform ~~allowance~~ reimbursement of one hundred ten
216 dollars (\$110.00) after six (6) months of service and at the completion of each year
217 of service thereafter.

218 ~~(6)~~(5) Cooks and bakers may have their uniforms laundered at an institutional
219 laundry without charge.

220 ~~(7)~~(6) Any nonrepresented supervisory nursing or supervisory laboratory employe,
221 who is required to wear a uniform and who supervises employes represented by the
222 Federation of Nurses and Health Professionals shall receive the same payment for
223 uniform ~~allowance~~ reimbursement as may be provided for in the Federation of
224 Nurses and Health Professionals collective bargaining agreement.

225 ~~(8)~~(7) Any represented employe required to wear a uniform may receive such
226 uniform and/or payment of uniform ~~allowance~~ reimbursement as may be provided
227 for by the respective collective bargaining agreements.

228 ~~(9)~~(8) Any employe required to carry firearms shall be furnished with such firearm
229 by the county, provided that this firearm shall remain the property of the county and
230 be returned when the employe leaves the county service or is no longer required to
231 carry such firearm.

232 ~~(10)(a) 2. Museum security officer III shall be provided the full initial issue of~~
233 ~~required uniforms, plus an annual allowance equal to that of museum security~~
234 ~~officers I and II, to be paid on a monthly basis for each calendar month in which~~
235 ~~they perform services requiring the wearing of a complete uniform.~~

236 (9) At time of regular appointment, Corrections Officers will be provided with a
237 fully issued uniform. Corrections Officers shall be reimbursed up to \$200.00 per
238 calendar year for the purchase of uniforms in accordance with this section.

239 (10) Welders, Forestry Workers II, Iron Workers, Forestry Supervisors and Iron
240 Worker Supervisors shall be reimbursed up to \$70 per calendar year for the
241 purchase of specialized safety shoes in accordance with the provisions of this

242 section. All Forestry Workers shall receive up to \$15 per calendar year for rubber
243 over boots in accordance with the provisions of this section.

244 (11) Forensic Investigators shall be reimbursed up to \$150 per calendar year for
245 clothing cleaning in accordance with the provisions of this section.

246
247 (12). Airport management will provide coveralls at no cost to the employees in the
248 classification of Heating and Ventilating Mechanic I while working on the ducts.

249 (13) The County shall furnish a T-shirt to Children's Zoo Attendants.

250 (14) Parks Department employees required to wear uniforms shall be provided with
251 such uniform furnished by the Department of Parks, Recreation and Culture.

252 ~~(b) The annual allowances to be paid on a monthly basis provided by subsection (a) shall~~
253 ~~be paid as of December 1 of each year for all months since the previous allowance was~~
254 ~~made provided that no new appointee shall receive this annual payment until December 1~~
255 ~~following the completion of one (1) year of service and then only for the number of months~~
256 ~~occurring since the completion of one (1) year of service. Employees appointed to a~~
257 ~~regular appointment and issued a uniform at time of appointment shall not be eligible for~~
258 ~~reimbursement under subsection (a) until the following calendar year unless otherwise~~
259 ~~specified. Employees considered hourly or part-time shall not be eligible for~~
260 ~~reimbursement under subsection (a) until the completion of two-thousand eighty hours~~
261 ~~(2080). All employees eligible for reimbursement provided for under subsection (a) shall~~
262 ~~be paid upon the employee furnishing a receipt from a vendor which indicates the type of~~
263 ~~clothing or expense and a purchase date in the same calendar year for which the employee~~
264 ~~is seeking reimbursement. No employee shall receive reimbursement beyond the~~
265 ~~maximum amount provided for per calendar year in subsection (a).~~

266
267 (c) The initial uniform ~~allowance~~ reimbursement provided by this paragraph shall not be
268 granted to employes on temporary or emergency appointments, but the institutions and
269 departments concerned may purchase and have available for loan to such employes
270 whatever minimum uniforms are required.

271
272 **Section 7.** Section 17.14(15) of the General Ordinances of Milwaukee County is amended
273 as follows:

274 *Salary reduction for the purpose of paying work-related dependent expenses with pre-tax*
275 *dollars. Salary reduction for the purpose of paying work-related dependent expenses with*
276 *pre-tax dollars. Employees who are not represented by collective bargaining units, or*
277 *represented employees where not provided for, or provided differently, in an applicable*
278 *collective bargaining agreement, shall be eligible to enroll in a salary reduction program*
279 *for the purpose of paying work-related dependent care expenses with pre-tax dollars in*
280 *accordance with federal and state regulations. ~~Employees who are represented by a~~*

281 ~~collective bargaining unit shall be eligible to take part in this program only if such~~
282 ~~participation is authorized in their collective bargaining agreement.~~

283 **Section 8.** Section 17.14(19) of the General Ordinances of Milwaukee County is repealed
284 in its entirety and re-created as follows:

285 (19) Standby pay. The district attorney's chief investigator and investigators shall be paid
286 standby pay equal to the amount paid to deputy sheriffs. Employees not exempt from the
287 Fair Labor Standards Act (FLSA) shall receive sixty (60) cents per hour for all hours
288 scheduled on standby duty. For purposes of this section, "standby" shall mean the
289 employee, at the direction of the employer, is required to be available for work upon
290 notice during a specified period of time. Standby shall not apply to any employee or
291 group of employees who, as part of their regular duty assignment are expected, but not
292 required, to be available for work at all times in emergency situations. Failure of the
293 employee to respond when called shall be cause for forfeiture of standby pay and
294 disciplinary action where the employee is unable to furnish acceptable justification for
295 his/her failure to respond.

296 (a) If called in while on standby, the employee shall be paid a minimum
297 of 3 hours pay at the employee's regular rate for work in one session and additional
298 pay at the overtime rate when such hours exceed forty (40) hours worked in the
299 week.

300 (b) The district attorney's chief investigator and investigators shall be paid
301 standby pay equal to the amount paid to deputy sheriffs.

302
303 **Section 9.** Section 17.14(21) of the General Ordinances of Milwaukee County is created
304 as follows:

305
306 (21). Call-in Pay. An employee not exempt from the Fair Labor Standards Act (FLSA)
307 called in to work outside of the employee's regularly scheduled shift shall be paid a
308 minimum of three (3) hours pay at the regular rate for work in one session and additional
309 pay at the overtime rate when such hours exceed 40 hours worked in the week. Call in
310 pay shall not apply to hours worked outside of an employee's regularly scheduled shift
311 where the regular shift starting time is modified to meet emergency situations.

312
313 **Section 10.** Section 17.14(22) of the General Ordinances of Milwaukee County is created
314 as follows:

315
316 (22) Tool Reimbursement. Employees in the classifications of Automotive & Equipment
317 Mechanic, Automotive & Equipment Service Tech and Automotive & Equipment Service
318 Tech In-Charge shall be eligible for reimbursement up to one-hundred dollars (\$100) per
319 calendar year for tools used to perform daily tasks. Employees appointed to a regular
320 appointment during a calendar year shall not be eligible for a tool allowance until the
321 following calendar year. Employees considered hourly or part-time shall not be eligible for

322 reimbursement until the completion of two-thousand eighty hours (2080). All employees
323 eligible for reimbursement provided for under this section shall be paid upon the employee
324 furnishing a receipt from a vendor which explicitly indicates the type of tool purchased and
325 a purchase date in the same calendar year for which the employee is seeking
326 reimbursement. No employee shall receive reimbursement beyond the maximum amount
327 provided for per calendar year.

328
329 **Section 11.** Section 17.14(24) of the General Ordinances of Milwaukee County is created
330 as follows:

331

332 (24) Rollback and wrecker equipment operators. All CAMD personnel operating rollback
333 and wrecker equipment shall receive a differential of \$0.50 per hour for all hours spent
334 operating the equipment. This differential shall be paid at \$.50 per hour even when hours
335 qualify for overtime compensation.

336

337 **Section 12.** Section 17.165 of the General Ordinances of Milwaukee County is amended
338 as follows:

339

340 Weekend Shift Differential. Employees in the classified service, including those in the
341 building and mechanical trades group in section 17.32(2)(c), except part-time and seasonal
342 employees, employees paid on an hourly or per call basis, other than registered nurses paid
343 on an hourly or part-time basis, senior citizen program instructors, and employees in title
344 codes 347, 352, 352.6, 353, 356, 357, 358, 359, 360, 361.2, 361.5, 361.7, 362.1, 371.5,
345 372, 375, 376, 377, 378, 615, 616, 617, 618, 618.1, 642, 642.1 and 742, shall be paid a
346 weekend differential of ~~thirty five cents (\$0.35)~~ forty cents (\$0.40) per hour or as otherwise
347 may be provided for by collective bargaining agreements for all hours worked between
348 6:30 a.m. Saturday and ending at or before 7:15 a.m. Monday, or as otherwise provided for
349 by collective bargaining agreements. This weekend differential shall not be applicable to
350 employees in the executive compensation plan or to employees in pay range 30 or above
351 except those who are covered by weekend differential in a labor agreement. Weekend
352 differential, when earned, shall not be added to the employee's regular rate for purposes of
353 determining vacation, sick leave, or holiday rates of pay. Weekend shift differential shall
354 be paid at \$.40 per hour even when hours qualify for overtime compensation.

355

356 **Section 13.** Section 17.17 of the General Ordinances of Milwaukee County is amended as
357 follows:

358

359 (1) (a) The heads of all departments, bureaus, institutions, boards or commissions shall
360 make provision for, designate, and allow annual leaves with pay to serve as vacation
361 equivalent to eighty (80) hours for each employe who has completed one (1) year or more
362 of service, unless as otherwise may be provided for by collective bargaining agreements;
363 one hundred twenty (120) hours for each employe who has completed five (5) years or
364 more of service; one hundred sixty (160) hours for each employe who has completed ten
365 (10) years or more of service; two hundred (200) hours for each employe who has

366 completed twenty (20) years or more of service; firefighter and equipment operators,
367 employes paid on an hourly or per diem basis who customarily work less than forty (40)
368 hours per week or two thousand eighty (2080) hours per annum, employes paid on a per
369 call or clinic hourly basis, and part-time employes paid on a biweekly basis whose services
370 are required less than half-time, unless as otherwise provided for by collective bargaining
371 agreements; firefighter and equipment operators shall be allowed annual leave with pay to
372 serve as vacation as follows: five (5) work days for each employe who has completed one
373 (1) year or more of service, seven (7) work days for each employe who has completed five
374 (5) years or more of service, ten (10) work days for each employe who has completed ten
375 (10) years or more of service, and twelve (12) work days for each employe who has
376 completed twenty (20) years or more of service.

377 (b) During the first year of employment, or in a return to service, an employe
378 will be granted a proportional share of their hours of vacation entitlement based on the
379 number of full calendar months remaining in the calendar year in which the employe was
380 first hired or in which the employe was rehired, divided by twelve (12) and rounded up to
381 the nearest whole hour, and shall be granted their full vacation entitlement on January 1 of
382 the calendar year after being hired or rehired by the County.

383 (c) Except where not provided for, or provided differently, in an applicable
384 collective bargaining agreement, yYears of service for a new ~~non-represented~~ employe, or
385 ~~non-represented~~-employe returning to service, who was not discharged or involuntarily
386 separated from the County, shall include any creditable pension service earned with
387 Milwaukee County, the State of Wisconsin or any municipality within the State of
388 Wisconsin.

389 (d) An employe shall not receive payment for unused vacation credit upon any
390 termination of employment, including, but not limited to, a retirement, unless the employe
391 has served 2080 hours after the employe's initial date of hire or rehire. Effective in 2002
392 all ~~non-represented~~-employes, unless not provided for, pr provided differently, in an
393 applicable collective bargaining agreement, shall be eligible for five (5) weeks of vacation
394 (two hundred (200) hours) after fifteen (15) years of service and six (6) weeks of vacation
395 (two hundred forty (240) hours) after twenty (20) years of service.

396 (e) An employe, who was terminated or laid off from the County, and who
397 received a payout of accrued vacation leave, and who returns to employment in the same
398 calendar year as the termination or layoff, shall not be entitled to any additional vacation
399 leave in that calendar year, unless the employe repays to the County the dollar value of
400 the vacation leave paid out following the termination or layoff.

401
402 (2) ~~Effective January 1, 2013~~beginning with carry-over from 2012 to 2013, an employe
403 may not carry over beyond the end of any calendar year any more than seven days (56
404 hours) of unused vacation leave. Departments may request to carry over hours in excess of
405 56 hours for any employe by submitting a request to the Director of Human Resources
406 and must include in the request the written rationale for the request, the reason the
407 department limited the use of vacation by the employe, and any other information
408 requested by the Director. The Director shall have discretion to approve or deny such
409 requests. All vacation leave previously credited to the employe in excess of seven days

410 that has not been used prior to the end of the calendar year and that has not been approved
411 by the Director for carry over shall be forfeited.

412 (3) The following days of each year are holidays: January 1, the third Monday in February,
413 the last Monday in May, July 4, November 11, the fourth Thursday in November,
414 December 25, the day appointed by the governor as Labor Day, and the day of holding the
415 general election in November, unless as otherwise may be provided for by collective
416 bargaining agreements; county department, offices, and institutions may be closed on these
417 holidays: January 1, the last Monday in May, July 4, the first Monday in September, the
418 fourth Thursday in November, and December 25. Effective in 2002 the Friday after the
419 fourth Thursday in November shall be a holiday for non-represented employes and
420 represented employes who are represented by a collective bargaining unit, unless not
421 provided for, or provided differently, in an applicable collective bargaining agreement
422 which has agreed to this provision. All county departments, offices and institutions shall be
423 open to the public for business on all other statutory holidays. All employes, including
424 those in the building and mechanical trades group in section 17.32(2)(c), except employes
425 paid on an hourly or per diem basis and firefighter and equipment operators who receive
426 off days in lieu of holidays, shall be granted leave with pay on these days, provided that if
427 an employe is required to work on such days because of the needs of the service, he shall
428 be given equivalent time off or shall receive additional compensation, if such
429 compensation is authorized by the provisions of subsection 17.16(5). Firefighter and
430 equipment operators, who receive seven (7) off days in lieu of all holidays, shall be granted
431 such off days during their first calendar year of employment as provided for in their
432 collective bargaining agreements.

433 (4) (a) A holiday falling on a Saturday shall be observed on the preceding scheduled
434 workday and a holiday falling on a Sunday shall be observed on the following scheduled
435 workday, except in the seven-day service where the present system of accruing and
436 exhausting holidays shall remain in effect. This provision shall not apply to employes
437 represented by certified bargaining representation.

438 (5) For all employes, unless not provided for, or provided differently, in an applicable
439 collective bargaining agreement, not represented by certified bargaining unit
440 representatives, beginning in January, 1988 and every year thereafter, the third Monday in
441 January will be observed as a holiday. All county departments, offices, and institutions shall
442 be open to the public for business on this holiday.

443 (6) For employes, unless not provided for, or provided differently, in an applicable
444 collective bargaining agreement, not covered by a collective bargaining agreement,
445 beginning in 1997, employes with an assigned work week of forty (40) hours who use no
446 sick allowance and take no time without pay during the year, shall receive eight (8) hours
447 of holiday time which may be used in the subsequent year. Use of excused time, including
448 excused time used for medical appointments or bereavement leave, shall not be
449 considered as sick allowance under this section.

450
451

452 **Section 14.** Section 17.172 of the General Ordinances of Milwaukee County is amended
453 as follows:

454

455 Employees entitled to holidays, except firefighters and equipment operators shall receive
456 three (3) days leave per year known as "personal days" in addition to earned leave by
457 reason of vacation, accrued holidays and compensatory time. Employees shall accrue
458 personal days during their first calendar year of employment as follows:

459

Hired on or before April 30	-three days
From May 1 through August 31	-two days
From September 1 and thereafter	-one day

460

461 Personal days may be liquidated in accordance with civil service rule VIII, section 3(2)(b)
462 relating to liquidation of compensatory time, except that such days may be taken at any
463 time during the calendar year. Supervisory personnel shall make every reasonable effort to
464 allow employees to make use of personal days as employees see fit, it being understood that
465 the purpose of such leave is to permit employees to be absent from duty for reasons which
466 are not justification for absence under other existing rules relating to leave with pay.

467

468 An employee, who was terminated or laid off from the County, and who received a payout
469 of accrued personal days, and who returns to employment in the same calendar year as the
470 termination or layoff, shall not be entitled to any additional personal days in that calendar
471 year, unless the employee repays to the County the dollar value of the personal days paid
472 out following the termination or layoff.

473

474 **Section 15.** Section 17.176 of the General Ordinances of Milwaukee County is amended
475 as follows:

476

477 Employees are allowed to request voluntary time off without pay, subject to the approval of
478 the director of human resources. The appropriate appointing authority may recommend
479 that the director of human resources approve or deny such requests, based upon workload,
480 staffing requirements, budgetary constraints and other factors which are pertinent to the
481 respective department. Employees shall not lose any benefits as a result of taking a voluntary
482 time off without pay, including postponement of salary increments, continuation of
483 insurance benefits, seniority and accrual of holiday time, sick allowance and vacation. No
484 employee shall be allowed to take more than one hundred sixty (160) voluntary hours
485 without pay in a calendar year and the position may not be filled during the employee's
486 absence. ~~This section shall not apply to employees who are represented by collective~~
487 ~~bargaining units unless it is incorporated into the respective collective bargaining~~
488 ~~agreement.~~ This section shall not apply to represented employees where not provided for,
489 or provided differently, in an applicable collective bargaining agreement.

490

491

492 **Section 16.** Section 17.182 of the General Ordinances of Milwaukee County is amended
493 as follows:

494

495 (1) Any employe employed as a ~~lifeguard III, lifeguard supervisor, or food service~~
496 ~~operator (seasonal),~~ part-time, seasonal or hourly employe who works one thousand forty
497 (1,040) or more hours per calendar year shall accrue vacation, sick leave, and personal
498 days on a pro rata basis. At the end of calendar year 1981 and each year thereafter, such
499 employes who work one thousand forty (1,040) or more hours during calendar year 1981
500 and each year thereafter shall be credited with accrued accounts based on the number of
501 hours worked in the preceding year. Such account other than sick leave must be exhausted
502 in the calendar year following that in which they were accrued. Such employes shall not
503 be laid off for the purpose of avoiding the accrual of pro rata benefits.

504

505 (2) Employes in the classified service except (a) those represented by a certified
506 bargaining unit, (b) part-time employes, (bc) seasonal employes, (ed) employes paid on a
507 per call basis, (de) athletic officials, or (ef) employes in a position allocated to pay range
508 30M or greater; and employes appointed to non-civil-service offices and positions except
509 (a) those represented by a certified collective bargaining unit, (b) elected officials and their
510 deputies, (c) all members of boards and commission, ~~and~~ (d) all interns, students and
511 trainees who work five hundred (500) or more hours per calendar year, and (e) hourly
512 employees shall accrue vacation, sick leave, holiday time and personal days on a pro rata
513 basis. Any such employe as previously defined who worked five hundred (500) or more
514 hours during calendar year 1986 and each year thereafter shall be credited with accrued
515 accounts based on the number of hours worked in the preceding year. Such account other
516 than sick leave must be exhausted in the calendar year following that in which they were
517 accrued. Such employes shall not be laid off for the purpose of avoiding the accrual of pro
518 rata benefits. In no event shall an employee receiving pro-rata benefits, after being
519 appointed to a full-time position, accrue, through a combination of pro-rata and full-time
520 benefits, more benefits in one-year than a full-time employee.

521

522 **Section 17.** Section 201.24(2.8) of the General Ordinances of Milwaukee County is
523 amended as follows:

524

525 **2.8 Final Average Salary.**

526

527 (1) Final average salary for a member whose continuous membership began prior to
528 January 1, 1982, means the average annual earnable compensation for the three (3)
529 consecutive years of service during which the member's earnable compensation was the
530 highest, or, if he should have less than three (3) years of service, then his/her average
531 annual earnable compensation during such period of service. Final average salary for a
532 member whose continuous membership began after January 1, 1982, means the average
533 annual earnable compensation for the five (5) consecutive years of service during which
534 the member's earnable compensation was the highest, or, if he should have less than five
535 (5) years of service, then his/her average annual earnable compensation during such period

536 of service. However, when a member is employed by the state but paid partly by the
537 county, his/her final average salary with respect to any period of employment solely by the
538 county shall be the average earnable compensation for the three (3) or five (5) consecutive
539 years respectively of such service during which his/her earnable compensation was the
540 highest.

541
542 (a) For the following members, ~~non-represented employees whose continuous membership~~
543 ~~in the employe retirement system begins on or after September 1, 1985,~~ the final average
544 salary shall be based solely on the total straight time hours paid, excluding any overtime
545 hours paid; ~~for the five (5) consecutive years of service during which the employe's~~
546 ~~earnable compensation was the highest, or, if he/she should have less than five (5) years of~~
547 ~~service then his/her average straight time hours paid, excluding any overtime hours paid,~~
548 ~~during such period of service.~~

- 549 (1) non-represented employees whose continuous membership in the employe
550 retirement system begins on or after September 1, 1985,
- 551 (2) members represented on September 29, 2011 by the American Federation of
552 State, County and Municipal Employees or by the Milwaukee Building and
553 Construction Trades Council whose membership began on or after October 30,
554 1987,
- 555 (3) members represented on September 29, 2011 by the Association of Milwaukee
556 County Attorneys, or by the International Association of Machinists Technicians,
557 Engineers and Architects of Milwaukee County whose membership began on or
558 after January 1, 1986,
- 559 (4) members represented on September 29, 2011 by the Federation of Nurses and
560 Health Professionals whose membership began on or after January 1, 1987,
- 561 (5) members represented on September 29, 2011 by the Milwaukee County
562 Firefighters Association and whose membership began on or after January 1, 1985
563 and prior to January 1, 2003, and
- 564 (6) members represented on September 29, 2011 by the Milwaukee Deputy Sheriffs
565 Association whose membership began on or after November 12, 1987.

566
567 (b) For ~~non-represented employees, and employees represented by a collective bargaining~~
568 ~~unit which has agreed to~~ covered by the provisions of 5.15, final average salary shall
569 include the retention incentive bonus authorized in section 5.15. Final average salary shall
570 not include any payments for accrued sick allowance received by the member at the time
571 of retirement under 17.184 nor shall final average salary include any back drop pension
572 benefit payment received by the member under section 5.16

573
574 (c) For ~~non-represented employees, and employees represented by a collective bargaining~~
575 ~~unit which has agreed to this provision, e~~Effective January 1, 2003 final average salary shall
576 mean the average annual earnable compensation for the three (3) consecutive years of
577 service during which the member's earnable compensation was the highest, or, if he/she
578 should have less than three (3) years of service, then his/her average annual earnable
579 compensation during such period of service. This paragraph shall not apply to a deputy

580 sheriff represented by the Milwaukee Deputy Sheriffs Association at the time of retirement
581 or to a member who was formerly a represented deputy sheriff who was appointed to a
582 non-represented position effective after June 30, 2009.

583

584 **Section 18.** Section 201.24(4.1) of the General Ordinances of Milwaukee County is
585 amended as follows:

586

587 **Section 4.1. Normal retirement.**

588

589 (1) (a) A member shall be eligible for a normal pension if his employment is
590 terminated on or after he has attained age fifty-five (55) and has completed thirty
591 (30) years of service, or if his employment is terminated on or after he has
592 attained normal retirement age as defined in section 2.18. Deputy sheriffs shall
593 be eligible to retire at age fifty-seven (57) regardless of their number of years of
594 service or at age fifty-five (55) with at least fifteen (15) years of creditable
595 pension service.

596 (b) Notwithstanding the provisions of subparagraph (a), a member of the
597 International Association of Machinists and Aerospace Workers whose initial
598 membership date is before January 1, 2012 shall not be eligible for a normal
599 pension until the member has attained normal retirement age as defined in
600 section 2.18 and has completed five (5) years of service.

601 (c) Notwithstanding the provisions of subparagraph (a), a member of the
602 Federation of Nurses and Health Professionals whose initial membership date is
603 before January 1, 2012 shall not be eligible for a normal pension until the
604 member has attained normal retirement age as defined in section 2.18 and has
605 completed five (5) years of service.

606

607 (2) Rule of 75.

608 (a) A member who, on September 29, 2011, is employed and is not covered by the
609 terms of a collective bargaining agreement, and whose initial membership in the retirement
610 system under section 201.24 began prior to January 1, 2006, and who retires on and after
611 September 1, 1993, shall be eligible for a normal pension when the age of the member
612 when added to his years of service equals seventy-five (75), but this provision shall not
613 apply to any member eligible under section 4.5 nor to any nonrepresented deputy sheriff
614 who was hired as a deputy sheriff after December 31, 1993 and whose appointment to a
615 nonrepresented position was first effective after June 30, 2009, nor to a member who was
616 formerly a represented correction officer who was hired as a correction officer after
617 December 31, 1993 and who was appointed to a non-represented position effective after
618 May 1, 2011.

619 (b) A member who, on September 29, 2011, is employed and is covered by the
620 terms of a collective bargaining agreement with the American Federation of State, County
621 and Municipal Employees District Council 48, or with the Technicians, Engineers and
622 Architects of Milwaukee County, or with the International Association of Machinists and
623 Aerospace Workers, and whose initial membership date is prior to January 1, 1994, shall

624 be eligible for a normal pension when the age of the member when added to his
625 years of service equals seventy-five (75), but this provision shall not apply to any member
626 eligible under section 4.5.

627 (c) A member who is employed and is covered by the terms of a collective
628 bargaining agreement with the Federation of Nurses and Health Professionals, and whose
629 initial membership date is prior to January 1, 2013, shall be eligible for a normal pension
630 when the age of the member when added to his years of service equals seventy-five (75),
631 but this provision shall not apply to any member eligible under section 4.5.

632 (d) A member who, on September 29, 2011, is employed and is covered by the
633 terms of a collective bargaining agreement with the Association of Milwaukee County
634 Attorneys, and whose initial membership date is prior to January 1, 2006, shall be eligible
635 for a normal pension when the age of the member when added to his years of service
636 equals seventy-five (75), but this provision shall not apply to any member eligible under
637 section 4.5.

638 (e) A member who, on September 29, 2011, is employed and is covered by the
639 terms of a collective bargaining agreement with the Milwaukee Building and Construction
640 Trades Council, and whose initial membership date is prior to February 21, 2006, shall be
641 eligible for a normal pension when the age of the member when added to his years of
642 service equals seventy-five (75), but this provision shall not apply to any member eligible
643 under section 4.5.

644 (f) A member who, on September 29, 2011, is employed and is covered by the
645 terms of a collective bargaining agreement with the Milwaukee Deputy Sheriff's
646 Association, and whose initial membership date is prior to January 1, 1994, shall be
647 eligible for a normal pension when the age of the member when added to his years of
648 service equals seventy-five (75), but this provision shall not apply to any member eligible
649 under section 4.5.

650 (g) A member who, on September 29, 2011, is employed and is covered by the
651 terms of a collective bargaining agreement with the Milwaukee County Fire Fighters
652 Association, and who was a member as of December 1, 1996, shall be eligible for a
653 normal pension when the age of the member when added to his years of service equals
654 seventy-five (75), but this provision shall not apply to any member eligible under section
655 4.5.

656
657 **Section 19.** Section 201.24(5.1) of the General Ordinances of Milwaukee County is
658 repealed and re-created as follows:

659
660 **5.1. Normal pension.**

661 ~~(1) A member, other than a member covered by the terms of a collective bargaining~~
662 ~~agreement, a deputy sheriff or elected official, whose continuous membership began prior~~
663 ~~to January 1, 1982 who meets the requirements for a normal pension shall receive an~~
664 ~~amount equal to two (2) percent of his final average salary multiplied by the number of his~~
665 ~~years of service rendered prior to January 1, 2010, other than as a member covered by the~~
666 ~~terms of a collective bargaining agreement, a deputy sheriff or elected official, and shall~~
667 ~~receive an amount equal to one and six tenths (1.6) percent of his final average salary~~

668 multiplied by the number of his years of service rendered on and after January 1, 2010,
669 other than as a member covered by the terms of a collective bargaining agreement, a
670 deputy sheriff or elected official. A member, other than a member covered by the terms of
671 a collective bargaining agreement, a deputy sheriff or elected official, whose continuous
672 membership began after January 1, 1982, who meets the requirements for a normal
673 pension shall receive an amount equal to one and one half (1 1/2) percent of his final
674 average salary multiplied by the number of his years of service rendered prior to January 1,
675 2010, other than as a member covered by the terms of a collective bargaining agreement, a
676 deputy sheriff or elected official and shall receive an amount equal to one and six tenths
677 (1.6) percent of his final average salary multiplied by the number of his years of service
678 rendered on and after January 1, 2010, other than as a member covered by the terms of a
679 collective bargaining agreement, a deputy sheriff or elected official.

680 (2) — (a) A member covered by the terms of a collective bargaining agreement, other than
681 a deputy sheriff, whose continuous membership began prior to January 1, 1982, who
682 meets the requirements for a normal pension shall receive an amount equal to two (2)
683 percent of his final average salary multiplied by the number of his years of service as a
684 collective bargaining agreement member other than a deputy sheriff.

685 (b) A member covered by the terms of a collective bargaining agreement, other than
686 a deputy sheriff, whose continuous membership began after January 1, 1982 who meets
687 the requirements for a normal pension shall receive an amount equal to one and one half
688 (1 1/2) percent of his final average salary multiplied by the number of his years of service as
689 a collective bargaining agreement member other than a deputy sheriff.

690 (c) A member shall receive an amount equal to one and six tenths (1.6) percent of
691 his final average salary multiplied by the number of his years of service, for service as a
692 member represented by AFSCME District Council 48, rendered on or after August 1, 2011.

693 (d) A member shall receive an amount equal to one and six tenths (1.6) percent of
694 his final average salary multiplied by the number of his years of service, for service as a
695 member represented by the Technicians, Engineers and Architects of Milwaukee County or
696 by the International Association of Machinists, rendered on or after May 1, 2010.

697 (e) A member shall receive an amount equal to one and six tenths (1.6) percent of
698 his final average salary multiplied by the number of his years of service, for service as a
699 member represented by the Association of Milwaukee County Attorneys, rendered on or
700 after June 1, 2010.

701 (f) A member shall receive an amount equal to one and six tenths (1.6) percent of
702 his final average salary multiplied by the number of his years of service, for service as a
703 member represented by the Federation of Nurses and Health Professionals or by the
704 Milwaukee Building and Construction Trades Council, rendered on or after January 1,
705 2012.

706 (3) A member who is a deputy sheriff whose continuous membership began prior to July
707 1, 1995, and who meets the requirements for a normal pension shall receive an amount
708 equal to two and five tenths (2.5) percent of his final average salary multiplied by the

709 number of his years of service as a deputy sheriff. A member who is a deputy sheriff whose
710 continuous membership began on or after July 1, 1995 and who meets the requirements
711 for a normal pension shall receive an amount equal to two (2) percent of his final average
712 salary multiplied by the number of his years of service as a deputy sheriff. Incumbents of
713 positions of chief investigator or investigator authorized in the office of the district attorney
714 shall receive the same pension benefit as a deputy sheriff. Incumbents of the positions of
715 airport fire chief, assistant airport fire chief, and fire fighter shall receive an amount equal to
716 one and one half (1 1/2) percent of their final average salary multiplied by the number of
717 years of service for all service in these classifications prior to January 1, 1999, and two (2)
718 percent of their final average salary multiplied by the number of years of service in these
719 classifications for all service after December 31, 1998.

720 ~~(4) A member who is an elected official whose continuous membership began prior to~~
721 ~~January 1, 1982, and who meets the requirements for a normal pension, shall receive an~~
722 ~~amount equal to two and one half (2 1/2) percent of his final average salary multiplied by~~
723 ~~the number of his years of service as an elected official. A member who is an elected~~
724 ~~official whose continuous membership began after January 1, 1982, and who meets the~~
725 ~~requirements for a normal pension, shall receive an amount equal to two (2) percent of his~~
726 ~~final average salary multiplied by the number of his years of service as an elected official.~~
727 ~~Regardless of when membership began, an elected official shall receive an amount equal~~
728 ~~to one and six tenths (1.6) percent of his final average salary multiplied by the number of~~
729 ~~his years of service rendered on and after October 14, 2010 as an elected official.~~

730 ~~(5) If a member has service in more than one (1) of the foregoing job capacities, his~~
731 ~~pension shall be the sum of the amounts computed by multiplying his final average salary~~
732 ~~by the product of the foregoing benefit percentage for each such capacity and his service in~~
733 ~~each such capacity.~~

734 ~~(6) If a member has service in one (1) or more of the foregoing job capacities as well as~~
735 ~~service as an employe of the state who receives part of his wage or salary from the county,~~
736 ~~his pension for service shall be equal to two and one half (2 1/2) percent or two (2) percent~~
737 ~~respectively of his final average salary paid by the county multiplied by the number of~~
738 ~~years of service as an elected county or state official and two (2) percent or one and one~~
739 ~~half (1 1/2) percent respectively multiplied by the number of years of service other than as~~
740 ~~an elected official.~~

741 ~~(7) The pension payable to a member under the provisions of this section 5.1 shall not~~
742 ~~exceed eighty (80) percent of his final average salary increased by the post retirement~~
743 ~~pension adjustment percentage in effect for each year of the member's continued~~
744 ~~employment after having accrued sufficient service to have become subject to the eighty~~
745 ~~(80) percent maximum percentage.~~

746 (1) A member shall receive an amount equal to the member's final average salary
747 multiplied times the number of years, or partial years, of service as a member multiplied by
748 the percentage(s) set forth below.

749 (2) For periods of service as an elected official, the percentage shall be:

- 750 (a) for an elected official whose whose continuous membership began prior to
751 January 1, 1982, for service through October 13, 2010, two and one half percent
752 (2.5%);
- 753 (b) for an elected official whose continuous membership began on or after January
754 1, 1982, for service through October 13, 2010, two percent (2.0%);
- 755 (c) for any elected official, for service on or after October 14, 2010, one and six-
756 tenths percent (1.6%).
- 757 (3) For periods of service as a member not represented by a collective bargaining unit,
758 except as set forth in paragraph(12) below, the percentage shall be as follows:
- 759 (a) for such a member whose continuous membership began prior to January 1,
760 1982, for service through December 31, 1999, two percent (2.0%);
- 761 (b) for such a member whose continuous membership began on or after January 1,
762 1982, for service through December 31, 2009, one and one half percent (1.5%);
- 763 (c) for any such member, for service on or after January 1, 2010, one and six-tenths
764 percent (1.6%).
- 765 (4) For periods of service as a member represented by the American Federation of State,
766 County and Municipal Workers, the percentage shall be as follows:
- 767 (a) for such a member whose continuous membership began prior to January 1,
768 1982, for service through July 31, 2011, two percent (2.0%);
- 769 (b) for such a member whose continuous membership began on or after January 1,
770 1982, for service through July 31, 2011, one and one-half percent (1.5%);
- 771 (c) for any such member, for service on or after August 1, 2011, one and six-tenths
772 percent (1.6%).
- 773 (5) For periods of service as a member represented by the Milwaukee Building and
774 Construction Trades Council, the percentage shall be as follows:
- 775 (a) for such a member whose continuous membership began prior to January 1,
776 1982, for service through December 31, 2011, two percent (2.0%);
- 777 (b) for such a member whose continuous membership began on or after January 1,
778 1982, for service through December 31, 2011, one and one-half percent (1.5%);
- 779 (c) for any such member, for service on or after January 1, 2012, one and six-tenths
780 percent (1.6%).
- 781 (6) For periods of service as a member represented by the Association of Milwaukee
782 County Attorneys, the percentage shall be as follows:
- 783 (a) for such a member whose continuous membership began prior to January 1,
784 1982, for service through May 31, 2010, two percent (2.0%);

- 785 (b) for such a member whose continuous membership began on or after January 1,
786 1982, for service through May 31, 2010, one and one-half percent (1.5%);
- 787 (c) for any such member, for service on or after June 1, 2010, one and six-tenths
788 percent (1.6%).
- 789 (7) For periods of service as a member represented by the International Association of
790 Machinists, the percentage shall be as follows:
- 791 (a) for such a member whose continuous membership began prior to January 1,
792 1982, for service through April 30, 2010, two percent (2.0%);
- 793 (b) for such a member whose continuous membership began on or after January 1,
794 1982, for service through April 30, 2010, one and one-half percent (1.5%);
- 795 (c) for any such member, for service on or after May 1, 2010, one and six-tenths
796 percent (1.6%).
- 797 (8) For periods of service as a member represented by the Technicians, Engineers and
798 Architects of Milwaukee County, the percentage shall be as follows:
- 799 (a) for such a member whose continuous membership began prior to January 1,
800 1982, for service through April 30, 2010, two percent (2.0%);
- 801 (b) for such a member whose continuous membership began on or after January 1,
802 1982, for service through April 30, 2010, one and one-half percent (1.5%);
- 803 (c) for any such member, for service on or after May 1, 2010, one and six-tenths
804 percent (1.6%).
- 805 (9) For periods of service as a member represented by the Federation of Nurses and Health
806 Professionals, the percentage shall be as follows:
- 807 (a) for such a member whose continuous membership began prior to January 1,
808 1982, for service through service through December 31, 2011, two percent (2.0%);
- 809 (b) for such a member whose continuous membership began on or after January 1,
810 1982, for service through December 31, 2011, one and one-half percent (1.5%);
- 811 (c) for any such member, for service on or after January 1, 2012, one and six-tenths
812 percent (1.6%).
- 813 (10) For periods of service as a member represented by the Milwaukee County Firefighters
814 Association, the percentage shall be as set forth in the collective bargaining agreement.
- 815 (11) For incumbents on January 1, 1999 of the positions of airport fire chief, assistant
816 airport fire chief, and fire fighter, the percentages shall be as follows:
- 817 (a) for service prior to January 1, 1999, one and one-half percent (1.5%);
- 818 (b) for service on or after January 1, 1999, two percent (2.9%).

819 (12) For periods of service as a represented or nonrepresented deputy sheriff, or for service
820 as a chief investigator or investigator in the office of the district attorney, the percentage
821 shall be as follows:

822 (a) for such a member whose continuous membership began prior to July 1, 1995,
823 for service through , the percentage shall be two and one-half percent (2.5%);

824 (b) for such a member whose continuous membership began on or after July 1,
825 1995, the percentage shall be two percent (2.0%).

826 (13) The pension payable to a member under the provisions of this section 5.1 shall not
827 exceed eighty (80) percent of his final average salary increased by the post-retirement
828 pension adjustment percentage in effect for each year of the member's continued
829 employment after having accrued sufficient service to have become subject to the eighty
830 (80) percent maximum percentage.

831
832 **Section 20.** Section 201.24(5.15) of the General Ordinances of Milwaukee County is
833 amended as follows:

834
835 **Section 5.15. Recruitment and retention incentive effective January 1, 2001.**

836
837 Except as set forth below, tThe provisions of this section shall apply to all members of the
838 employees' retirement system eligible to accrue pension service credit as of January 1, 2001,
839 and who are not represented by a collective bargaining unit and file an application for
840 retirement after January 1, 2001. This section shall supersede any provisions of section 5.1
841 that may conflict with this section. The provisions of this section shall not apply to any
842 member of the employees' retirement system who filed an application for retirement prior to
843 January 1, 2001, which shall be effective on or after January 1, 2001. The provisions of this
844 section shall not apply to members of the employees' retirement system who, as of January
845 1, 2001, are either eligible for a deferred vested retirement benefit under section 4.5 or are
846 receiving a retirement benefit, unless such members return to a status eligible to accrue
847 additional service credit on or after January 1, 2001. The provisions of this section shall not
848 apply to years of service earned on or after January 1, 2010, by a member who, at the time
849 the service is earned, is not covered by the terms of a collective bargaining agreement, nor
850 shall this section apply to service credit earned on or after October 14, 2010 by a member
851 who, at the time service is earned, is an elected official, nor shall this section apply to
852 periods of service to which the percentage of one and six-tenths applies under sections
853 201.24(5.1)(1) through (10) credit earned on or after the effective date of sections
854 201.24(5.1)(2)(c) through (f). The provisions of this section shall not apply to a deputy
855 sheriff represented at the time of retirement by the Milwaukee Deputy Sheriff's Association.
856 The provisions of this section shall not apply to a nonrepresented deputy sheriff whose
857 appointment to a nonrepresented position was first effective on or after July 1, 2009. The
858 provisions of this section shall not apply to elected officials whose membership began on
859 or after March 15, 2002.

860

861 (1) If membership in the employes' retirement system initially began on or after January 1,
862 1982, or for a nonrepresented deputy sheriff who began membership on or after July 1,
863 1995 and whose appointment to a nonrepresented position was first effective prior to July
864 1, 2009, the following recruitment and retention incentives shall apply:

865
866 ~~(a) Except for a non-represented deputy sheriff whose membership began prior to July 1,~~
867 ~~1995, or whose appointment to a non-represented position was first effective after June 30,~~
868 ~~2009, and elected officials whose membership began on or after March 15, 2002, a~~All
869 pension service credit earned on and after January 1, 2001, shall be credited in an amount
870 equal to an additional 0.5 percent of the member's final average salary. For each year of
871 service credit earned after January 1, 2001, eight (8) years of service credit earned prior to
872 January 1, 2001, shall be credited at an additional 0.5 percent of the member's final
873 average salary. The additional service credits under this section 5.15(1)(a) shall not apply to
874 any elected official whose membership began prior to March 15, 2002, if such elected
875 official consents irrevocably in writing filed with the system to waive the right to receive
876 such additional pension service credits.

877
878 (b) An employe shall not be eligible for a deferred vested pension if his/her employment
879 is terminated prior to his/her completion of five (5) years of service.

880
881 (2) Retention incentive bonus. (a) If initial membership in the employes' retirement system
882 began prior to January 1, 1982, or began prior to July 1, 1995; for a nonrepresented deputy
883 sheriff whose appointment to a non-represented position was first effective prior to July 1,
884 2009, or if the member is named in section 2.15(11) of the 2009 - 2012 collective
885 bargaining agreement with the Milwaukee County Firefighters Association, at the time of
886 retirement, the member shall have their final average salary increased by a bonus of seven
887 and five-tenths (7.5) percent for each year of pension service credit earned after January 1,
888 2001. The maximum bonus that shall be added to an eligible member's final average salary
889 shall not be more than twenty-five (25) percent. This provision shall not apply to a member
890 of the employes' retirement system who became a member of the system prior to January
891 1, 1982, and as of January 1, 2001, is either eligible for a deferred vested benefit under
892 section 201.24(4.5), or is receiving a pension benefit, unless such member returns to a
893 status whereby the member is eligible to earn additional pension service credit on or after
894 January 1, 2001. The retention incentive bonus under this section 5.15(2) shall not apply to
895 any elected official who is otherwise eligible to receive such bonus if such elected official
896 consents irrevocably in writing filed with the system to waive the right to receive such
897 retention incentive bonus.

898 (b) The provisions of the preceding paragraph shall not apply to any deputy sheriff
899 represented at the time of retirement by the Milwaukee Deputy Sheriff's Association, or to
900 a nonrepresented deputy sheriff whose membership began on or after July 1, 1995, or to a
901 nonrepresented deputy sheriff whose appointment to a non-represented position was first
902 effective on or after July 1, 2009,

903

904 (3) Members who hold positions for which membership in the employees' retirement
905 system is optional and opt for such membership, shall have pension service credit earned
906 after January 1, 2001, credited at two (2) percent. However, such service credit shall not
907 result in a multiplier increase for service credit earned prior to January 1, 2001, nor shall
908 such service credit qualify the member for a retention incentive bonus.

909
910 The provisions of this section shall not apply to a member of the employees' retirement
911 system who is either eligible for a deferred vested benefit under section 201.24(4.5), or is
912 receiving a pension benefit as of January 1, 2001, unless such member returns to active
913 county employment and is eligible to earn additional pension service credit under section
914 201.24.

915
916 **Section 21.** Section 201.24(5.16) of the General Ordinances of Milwaukee County is
917 amended as follows:

918
919 **5.16 Back drop pension benefit.**

920
921 (1) The provisions of this section shall apply to any member whose application to retire is
922 filed and effective after January 1, 2001, but shall not apply to:

923 (a) any member of the employe retirement system who is an elected official, or
924 who was not represented by a collective bargaining unit on September 29, 2011,
925 and who began membership in said system on or after March 15, 2002,

926 (b) who was represented by the American Federation of State, County and
927 Municipal Workers on September 29, 2011 and who began membership prior to
928 February 1, 2007

929 (c) who was represented by the Milwaukee Building and Construction Trades
930 Council on September 29, 2011 and who began membership prior to February 21,
931 2006,

932 (d) who was represented by the Association of Milwaukee County Attorneys on
933 September 29, 2011 and who began membership prior to January 1, 2006,

934 (e) who was represented by the International Association of Machinists or by the
935 Technicians, Engineers and Architects of Milwaukee County on September 29, 2011
936 and who began membership prior to November 4, 2005,

937 (f) who was represented by the Federation of Nurses and Health Professionals
938 on September 29, 2011 and who began membership prior to December 16, 2005,

939 (g) who was represented by the Milwaukee County Firefighters Association on
940 September 29, 2011 and who began membership prior to June 19, 2007,

941 (h) or to a member who was formerly a represented deputy sheriff and who was
942 appointed to a non-represented position effective after June 30, 2009,

943 (i) or who is eligible for a deferred pension benefit under section 201.24(4.5) or
944 a disability pension benefit under sections 201.24(5.3), (5.31) or (5.4).

945 (j) The "back-drop" pension benefit under this section 5.16 shall not apply to
946 any who elected official whose membership began prior to March 15, 2002, if such

947 elected official consents irrevocably in writing filed with the system to waive the
948 right to elect to receive a "back drop" pension benefit.
949

950 ~~Upon retirement, a member may opt for a "back drop" pension benefit as follows:~~
951 ~~(2)(1)~~ Upon retirement, ~~a~~A member may request a monthly pension benefit based on
952 accrued pension service credit and final average salary calculation as of a specific date in
953 the past which shall be referred to as the "back drop date." The "back drop date" may not
954 be prior to the earliest date that the member was eligible to retire, and shall not be less
955 than one (1) year prior to the date the member leaves active county service. The monthly
956 pension benefit the member was eligible to receive as of the "back drop date" shall be
957 referred to as the "monthly drop benefit."
958

959 ~~(3)~~ ~~(2)~~ The total amount of the "monthly drop benefit" payments the member would have
960 received (including the annual two (2) percent pension increase) between the "back drop
961 date" and the date the member is removed from the county payroll due to actual retirement
962 (after exhausting all accrued time balances as documented by an ETCR form), plus interest
963 earnings (compounded monthly) equal to the pension fund rate of return used by the ERS
964 actuary, shall be referred to as the "total drop benefit."
965

966 ~~(4)~~ ~~(3)~~ If the member opts for a "back drop" pension benefit:
967 a. The "total drop benefit" shall be paid to the member with appropriate deductions for
968 state and federal taxes; or if permitted by IRS regulations, the member may "roll over" the
969 "total drop benefit" to an IRA.
970 b. The "monthly drop benefit" shall be paid to the member.
971

972 ~~(5)~~ ~~(4)~~ The standard pension options shall be available to a member who opts for a "back
973 drop benefit", and the retention incentives incorporated into the pension benefit effective
974 January 1, 2001, shall be included when calculating the "monthly drop benefit." Therefore,
975 a member who opts for a "back drop benefit" with a "back drop date" prior to January 1,
976 2001, shall be eligible for the retention incentives which became effective as of January 1,
977 2001, based on continued service after January 1, 2001.
978

979 ~~(6)~~ ~~(5)~~ A member who opted for a "back drop benefit" upon retirement and later returns to
980 active service and is eligible to earn additional pension service credit, shall cease receiving
981 the monthly drop benefit until the member once again terminates active service. Upon
982 once again retiring, the member shall have any new service credit added to the service
983 credit used to calculate the "monthly drop benefit", and the member's final average salary
984 shall be recalculated to incorporate the most recent earnings.

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(ITEM 25) From the Director, Department of Parks, Recreation and Culture, requesting an amendment to the Milwaukee County Code of General Ordinances to increase the department's Imprest Fund by \$4,000 in the summer season (May – Oct.) and by \$4,000 in the winter season (Nov. – Apr.), by recommending adoption of the following:

A RESOLUTION

WHEREAS, the current amount authorized in the Department of Parks, Recreation and Culture's (DPRC's) Imprest Fund for the summer season (May – Oct.) is \$52,155 and for the winter season (Nov. – Apr.) is \$38,155, respectively; and

WHEREAS, DPRC has identified a need to increase both seasonal allocations due to anticipated increased need for petty cash based operating four (4) additional Golf Pro Shops, previously operated by the Wisconsin Professional Golf Association; and

WHEREAS, DPRC is requesting approval to increase the amount authorized in DPRC's Imprest Fund by four thousand dollars (\$4,000) for each season, for a total of \$56,155 for the summer season and \$42,155 in the winter season to properly and efficiently manage demands for petty cash; and

WHEREAS, a seasonal fund transfer in the amount of \$4,000 from DRPC's operating budget will be required to provide the increased expenditure authority; and

WHEREAS, the seasonal change in the allocation does not change expenditures and will result in better customer service; now, therefore,

BE IT RESOLVED, that Milwaukee County General Ordinance Section 15.17(2)(dd)(1) is hereby amended to allow for an amount of \$56,155, which is an increase of \$4,000; and

BE IT FURTHER RESOLVED, that Milwaukee County General Ordinance Section 15.17(2)(dd)(2) is hereby amended to allow for an amount of \$42,155, which is an increase of \$4,000; and

BE IT FURTHER RESOLVED, that the Department of Administrative Services is hereby authorized to process an appropriation transfer to increase the expenditure authority for the Department of Parks, Recreation and Culture imprest fund for the 2012 summer season (May – Oct.); and

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors does hereby approve the following amendment to the ordinance, accordingly,

45 **AN ORDINANCE**

46
47 To amend Section 15.17(2)(dd) of the Milwaukee County General Ordinances to
48 reflect current needs for usage of DPRC’s Imprest Fund, accordingly,

49
50 The County Board of Supervisors of the County of Milwaukee does ordain as
51 follows:

52
53 **SECTION 1.** Section 15.17(2)(dd) of the General Ordinances of Milwaukee County, is
54 amended as follows:

55
56 **15.17. Departmental imprest fund**

57
58 (2)

59
60 (dd)

- 61
62 1. ~~DPPI, Parks, systems,~~ Recreation and Culture (May – Oct.) \$526,155
63 2. ~~DPPI, Parks, systems,~~ Recreation and Culture (Nov. – Apr.) \$3842,155

64
65 **SECTION 2.** Adoption of this resolution/ordinance will result in no net change in
66 expenditures, revenue or tax levy because the funds will be transferred from DPRC’s
67 operating budget.

68
69 **SECTION 3.** The provisions of this ordinance shall be effective upon passage and
70 publication.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 20, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request for a \$4000 increase in DPRC's Imprest Fund

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

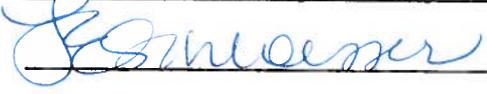
DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

- A. This ordinance would increase the balances available for DPRC's Imprest Fund by \$4,000 in both the summer and winter seasons. The reason for the increase is the fact that DPRC is assuming operations of four (4) additional Golf Pro Shops.
- B. There is no direct fiscal impact associated with this request. A fund transfer from DPRC's operating budget will provide the increased expenditure authority.
- C. There is no direct budgetary impact associated with this request.
- D. Assumptions are based on DPRC operating four (4) additional Golf Pro Shops.

Department/Prepared By Sheree Marlow/Budget Manager/DPRC

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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COUNTY BOARD
CHAIRMAN

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 26) From the Director, Department of Audit, requesting authorization to amend a professional services contract between Baker Tilly Virchow Krause, LLP (Formerly Virchow, Krause & Company, LLP) and the Department of Audit to acquire additional audit services necessary for the Department of Family Care to comply with State requirements, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 2010, regulation of the Care Management Organization Division (CMO) of the Department on Aging was expanded beyond the State Department of Health Services to include the Office of the Commissioner of Insurance (OCI), thereby subjecting the CMO to a new body of regulations, including audit requirements specified in Ins 57, Wisconsin Administrative Code; and

WHEREAS, also in 2010, the State set forth a requirement that the CMO be organizationally separated from the Department on Aging and the Department of Health and Human Services as a condition for continuing under contract with the State to operate as a care management organization for administration of the Family Care Program within Milwaukee County; and

WHEREAS, the Department of Family Care was created in July 2010 to achieve the separation required by the State; and

WHEREAS, the Department of Audit requests approval to amend the existing professional services agreement with Baker Tilly Virchow Krause, LLP for the annual audit of the County as a whole for the year ended December 31, 2011, to acquire the additional audit services required for the Department of Family Care to comply with State regulations; and

WHEREAS, the effect of the requested amendment would be to expand the current professional services contract to include additional audit services as required of the Milwaukee County Department of Family Care to meet the requirements of Ins 57, Wisconsin Administrative Code and to increase the total value of the contract by \$28,000, bringing the total value of the contract from \$433,000 to \$461,000; and

WHEREAS, File No. 08-131 was previously adopted by the County Board of Supervisors to authorize and direct the Director, Department of Audit to enter into an agreement with Virchow, Krause & Company, LLP (currently Baker Tilly Virchow Krause, LLP) for the audit of the County as a whole for one year ending December 31, 2008, with annual renewals for 2009, 2010, 2011, 2012 and 2013 at the County's option; and

44 WHEREAS, the professional services contract with Baker Tilly Virchow Krause, LLP
45 was renewed in 2012 for the audit of Milwaukee County for the year ending December 31,
46 2011, in the amount of \$433,000, which will be paid out of Department of Audit budget
47 appropriations; and

48

49 WHEREAS, the \$28,000 cost attributable to the contract amendment will be paid by
50 the Department of Family Care using State Family Care Program funding; and

51

52 WHEREAS, the firm of Baker Tilly Virchow Krause, LLP is on track to meet its DBE
53 goal of 34% for the countywide audit contract and it will commit to meet or exceed
54 County DBE goals in regard to the contract amendment; now, therefore,

55

56 BE IT RESOLVED, the Director, Department of Audit is authorized to amend the
57 professional services contract with the firm of Baker Tilly Virchow Krause, LLP, for
58 additional audit services, which will enable the Department of Family Care to comply with
59 State regulations; and

60

61 BE IT FURTHER RESOLVED, the effect of the requested amendment would be to
62 increase the total value of the contract by \$28,000 bringing the total value of the contract
63 from \$433,000 to \$461,000.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 02-20-2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Amendment to Annual Countywide Audit Contract for Year Ended 12/ 31/11

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	
	Revenue		
	Net Cost	0	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this resolution would authorize and direct the Director of Audits to amend the 2012 countywide audit contract with the firm of Baker Tilly Virchow Krause, LLP for additional audit services. This will enable the Department of Family Care to comply with State regulations. There will be no fiscal impact since the \$28,000 cost associated with the amendment is included in the 2012 operating budget for the Department of Family Care.

Department/Prepared By Audit/Paul Grant, Audit Compliance Manager

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 27) 2011 Budget Amendment 1C008: From the Benefits Administrator, Department of Human Resources, requesting authorization to execute a three-year contract with Buck Consultants for a one-time initial audit of all covered dependents and ongoing verifications of newly covered dependents, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Milwaukee County has a long-standing commitment to providing its eligible employees with high quality of care through its employee benefits programs, and

WHEREAS, maintaining proper oversight and fiduciary control is critical to the viability of the Milwaukee County’s employee benefits programs; and

WHEREAS, the 2011 adopted Milwaukee County Operating Budget supported the proper fiduciary control over the employee benefits programs by directing the Employee Benefits Division in conjunction with the Department of Audit to develop a request for proposal for dependent eligibility audits; and

WHEREAS, the request for proposal was published in the fall of 2011 and completed in January 2012; and

WHEREAS, a panel representing the Department of Human Resources, the Department of Audits, DAS Fiscal Affairs, and Milwaukee County Board Staff reviewed all proposals, and the panel unanimously deemed the proposal by Buck Consultants to be superior; and

WHEREAS, at its meeting on March 8, 2012, the Committee on Finance and Audit recommended approval of the said request (vote 6-0); and

WHEREAS, at its meeting on March 9, 2012 the Committee on Personnel concurred with the recommendation of the Committee on Finance and Audit to approve (vote 7-0); now, therefore,

BE IT RESOLVED, that the Benefits Administrator, Department of Human Resources, is hereby authorized to execute a 3-yr contract with Buck Consultants for a one-time initial audit of all covered dependents, and ongoing verifications of newly covered dependents be effective through December 31, 2014.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 15, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request for authorization to execute a three-year contract for dependent eligibility auditing services with Buck Consultants.

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	98,875	12,000
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A.) Approval of this request would enable the Benefits Administrator to contract with Buck Consultants for dependent eligibility auditing to begin in 2012.

B.) The \$98,875 current year expenditure includes \$92,875 for the initial audit, and \$6,000 for ongoing verifications of new dependents billed at a flat fee of \$17.00 per dependent audited. In subsequent years, \$3,000 per quarter is estimated for ongoing verifications.

C.) The current year and subsequent year costs will be absorbed in Agency 194, org 1950.

D.) The projected annual return on investment for this audit is between \$798,000 and \$1,240,000, however, these savings will be significantly reduced in 2012 as the audit will only be impacting a portion of the year. Assuming a successful implementation and a conservative estimate of 1/3 of the lower annual estimate provided by the vendor, it is anticipated that the costs avoided by removing ineligible dependents will be \$266,000 in 2012. This exceeds the cost of conducting the audits, allowing the cost to be absorbed within the current budget.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Matthew Hanchek, Benefits Administrator

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 28) From the Benefits Administrator, Department of Human Resources, requesting authorization to execute a three-year contract with Willis for benefits consulting and actuarial services through December 2014 with two additional consecutive one-year renewal options at the County's discretion, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Milwaukee County has a long-standing commitment to providing its eligible employees with high quality of care through its employee benefits programs, and

WHEREAS, maintaining proper forecasting of costs, compliance monitoring, and benefit plan strategy and design is critical to the long-term viability of the Milwaukee County's employee benefits programs; and

WHEREAS, Milwaukee County utilizes the services of consultants and actuaries to assist Human Resources, Administrative Services, County Board Staff and other County departments in the administration and strategic planning of County Benefits programs; and

WHEREAS, the Milwaukee County Department of Human Resources, Employee Benefits Division conducted an analysis of competitive bids to identify a qualified organization to conduct and provide health and welfare benefits consulting and actuarial support services in accordance with Chapter 56.30 of the Milwaukee County Code of Ordinances; and

WHEREAS, a panel representing the Department of Human Resources, DAS Fiscal Affairs, Milwaukee County Board Staff, and Milwaukee County Transit System benefits staff reviewed all proposals, and the panel unanimously deemed the proposal by Willis to be superior; and

WHEREAS, at its meeting on March 8, 2012, the Committee on Finance and Audit recommended approval of the said request (vote 6-0); and

WHEREAS, at its meeting on March 9, 2012 the Committee on Personnel concurred with the recommendation of the Committee on Finance and Audit to approve (vote 7-0); now, therefore,

BE IT RESOLVED, that the Director, Department of Human Resources, is hereby authorized to execute a contract with Willis for benefits consulting and actuarial services through December 2014 with two additional consecutive one-year renewals at the County's discretion.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 15, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request for authorization to execute a three-year contract for consulting and actuarial services with Willis.

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input checked="" type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	-75,000	-45,000
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A.) Approval of this request would enable the Director of Human Resources to contract with Willis for consulting and actuarial services to begin in 2012, running through 2014. The contract would also have 2 consecutive 1-yr renewals at the County's option.

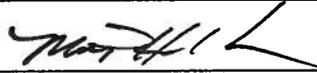
B.) The 2012 non-departmental fringe benefits budget for professional services included \$230,000 for the combination of OPEB valuation and the annual scope of consulting and actuarial services, based on the prior consulting contract. The proposed contract is for \$165,000 annually. Consequently, the proposed contract results in a reduction of approximately \$75,000 in years where the bi-annual OPEB valuation is required, and \$45,000 in years where OPEB valuation is not required.

C.) The current year and subsequent year costs will be paid from Agency 194, org 1950. While this contract will be a positive impact on that budget item, the overall annual expenditure on fringe benefits professional services is contingent on the County's need for several types of services paid under this org. unit (e.g. system reconfiguration, legal services, consulting outside of scope, open enrollment updates, communications, etc.)

D.) The projected costs assume that all projects undertaken will be within the scope of services document defined in the RFP. Significant projects beyond the scope of services would incur separate expense.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Matthew Hanchek, Benefits Administrator

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

1

2 (ITEM 29) From the Director, Risk Management, requesting a reauthorization resolution
3 to comply with the requirement of the State of Wisconsin Department of Workforce
4 Development regarding Milwaukee County self-insured worker's compensation program
5 currently in effect, by recommending adoption of the following:

6

A RESOLUTION

7 WHEREAS, Milwaukee County is a qualified subdivision of the State of Wisconsin;
8 and

9 WHEREAS, the Wisconsin Worker's Compensation Act (102.28(2)(b) provides that
10 employers covered by the Act either insure their liability with worker's compensation
11 insurance carriers authorized to do business in Wisconsin or be exempted (self-insured)
12 from insuring liabilities with a carrier and thereby assume the responsibility for its own
13 worker's compensation risk and payment; and

14 WHEREAS, the State and its political subdivisions may self-insure worker's
15 compensation without a special order from the Department of Workforce Development
16 Worker's Compensation Division if they agree to report faithfully all compensable injuries
17 and agree to comply with the Act and rules of the Department; and

18 WHEREAS, the County Board of Supervisors at its March 15, 2012 meeting
19 approved the continuation of the self-insured worker's compensation program, in
20 compliance with Wisconsin Administrative Code DWD 80.60(3); now, therefore,

21 BE IT RESOLVED, that Milwaukee County shall continue its self-insured worker's
22 compensation program that is currently in effect; and

23 BE IT FURTHER RESOLVED, that the Director - Risk Management or her designee
24 forward certified copies of this resolution to the Worker's Compensation Division,
25 Wisconsin Department of Workforce Development.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/10/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Workers Compensation Self-Insured Program -Department of Workforce Development (DWD) Wisconsin Administrative Code DWD 80.60(3)

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|---|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

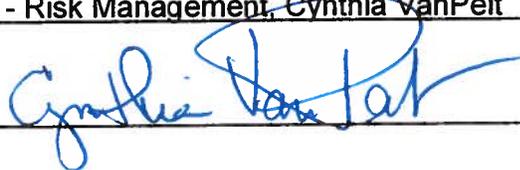
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The attached resolution states Milwaukee County's intent and agreement to continue to self insure for workers compensation as contained in Wisconsin's Administrative Code DWD 80.60(3). Risk Management provides for anticipated claims costs relating to workers compensation in the annual operating budget and is required to maintain a reserve fund for existing workers compensation liabilities.

Department/Prepared By DAS - Risk Management, Cynthia VanPelt

Authorized Signature



Did DAS-Fiscal Staff Review?



Yes



No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Item 30

Action Required

Finance Committee
County Board (Majority Vote)

WHEREAS, your committee has received from the Department of Administrative Services, Fiscal Affairs, departmental requests for transfer to the 2011 capital improvement accounts and the Director finds that the best interests of Milwaukee County will be served by allowance of such transfers;

THEREFORE, BE IT RESOLVED, that the Director, Department of Administrative Services, is hereby authorized to make the following transfers in the 2011 capital improvement appropriations:

	<u>From</u>	<u>To</u>
1) <u>WH020052 – W. Oklahoma 108th to 76th St.</u>		
2299 Other State Grants and Reimb		\$2,957,809
4907 Bond and Note Proceeds		\$300,000
6146 Prof Svc-CAP/Major Mtce	\$750,000	
4907 Bond and Note Proceeds	\$2,507,809	
 <u>WH089012 – 13th St. and Puetz Intersection</u>		
8530 Roadway Plan and Constr CAP		\$300,000
4907 Bond and Note Proceeds	\$300,000	

A 2011 appropriation transfer of \$3,557,809 is requested by the Director of the Department of Transportation (DOT) to decrease expenditure authority and revenue in capital improvement project WH020052 – W. Oklahoma 108th St. to 76th St. (W. Oklahoma 108th to 76th St.) and to create capital improvement project WH089012 – 13th St. and Puetz Intersection (13th and Puetz). The requested appropriation transfer will accomplish the following actions within each of the capital improvement projects. For W. Oklahoma 108th to 76th St., the requested appropriation transfer recognizes a scope change that results in an overall expenditure surplus for this project and reduces the overall expenditure surplus and revenue by the estimated amount of unrealized state funds. For 13th and Puetz, the requested appropriation transfer provides authority to create this project and increase expenditure authority and revenue to fund unanticipated construction costs. In addition for 13th and Puetz, an initial authorizing resolution and a reimbursement resolution are also being submitted for separate action to allow Milwaukee County to reimburse itself through a future issuance of general obligation bonds to cover the increased expenditure authority for this construction project.

In 2010, funding of \$7,833,000 was appropriated for W. Oklahoma 108th to 76th St., which was reduced by \$261,059 through a September 2011 appropriation transfer to WH01005 - W. College Ave, leaving a total of \$7,571,941 of budgeted expenditure authority. The DOT estimates that upon project completion an expenditure surplus of \$3,400,000 will remain for W. Oklahoma 108th to 76th St. The anticipated surplus results from this highway project being originally budgeted as a

reconstruction but the work completed was a rehabilitation, which was less costly. Even though the project work has been completed, this appropriation transfer requests authority to recognize the change in scope from a reconstruction to a rehabilitation.

Although the initial expenditure surplus for W. Oklahoma 108th to 76th St. is estimated at \$3,400,000, a portion of the state revenue to offset the available remaining expenditure authority is not expected to be realized from the State of Wisconsin. Unrealized state revenue through the County Highway Improvement Program (CHIP) is estimated by DOT at \$450,000. Therefore the anticipated expenditure surplus for W. Oklahoma 108th to 76th St. is reduced to \$2,950,000.

A portion of the estimated \$2,950,000 available expenditure surplus for W. Oklahoma 108th to 76th St. is requested to be used to create capital improvement project WH089012 – 13th and Puetz and to fund \$300,000 of expenditures related to it. A portion of County Trunk Highway V runs through the City of Oak Creek. Due to traffic volume and accident rates, the City of Oak Creek requested that the intersection of S.13th St. and W. Puetz Rd. be included in the Wisconsin Department of Transportation Highway Safety Improvement Program (HSIP) with the support of the County. Major improvements to the intersection included installation of left-turn lanes, through/right turn lanes, traffic signals, sidewalks, and street lights. In February 2010, the City of Oak Creek was notified that the project was selected for inclusion into the program with City of Oak Creek and Milwaukee County each responsible for 5 percent of the project costs and amounts not covered by federal funding sources. The County share of the intersection improvements were anticipated at \$40,000 but the County share for work already completed is estimated at \$300,000. The cost overrun is primarily due to the extra reconstruction distance leading up to the intersection and extra excavation as well as additional pavement base needed due to soft soil.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 3/1/2012.
APPROVED BY THE COMMITTEE ON FINANCE AND AUDIT 3/8/2012 (VOTE 6-0)

Item 31

Action Required

Finance Committee

County Board (2/3 Vote)

WHEREAS, department requests for transfers within their own accounts have been received by the Department of Administrative Services, Fiscal Affairs, and the Director finds that the best interests of Milwaukee County will be served by allowance of such transfers;

THEREFORE, BE IT RESOLVED, that the Director, Department of Administrative Services, is hereby authorized to make the following transfers in the 2012 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) <u>4000 – Office of the Sheriff</u>		
6149 – Professional Serv- Non-Recurring Oper		\$47,163
2699 – Other Federal Grants & Reimbursement	\$47,163	

An appropriation transfer of \$47,163 is requested by the Office of the Sheriff to recognize the receipt of Federal grant revenue and to establish related expenditure authority.

In January the Office of the Sheriff was notified that it had been awarded a total of \$47,163 across three versions of the federal Homeland Security Program, which is passed through to the County by the State Office of Justice Assistance. The three grants will be used to fund three emergency management preparedness exercises, through the use of consultants who will act as facilitators and project managers.

The grant requires no local match. No tax levy impact results from this fund transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 3/1/2012.

APPROVED BY THE COMMITTEE ON FINANCE AND AUDIT 3/8/2012 (VOTE 6-0).

	<u>From</u>	<u>To</u>
2) <u>4000 – Office of the Sheriff</u>		
7935 – Law Enforcement & Pub Safety Supplies		\$2,240
8552 – Machinery & Equipment New		\$61,786
2699 – Other Federal Grants & Revenue	\$64,026	

An appropriation transfer of \$64,026 is requested by the Office of the Sheriff to recognize the receipt of Federal grant revenue and to establish related expenditure authority.

In January the Office of the Sheriff was notified that it had been awarded \$64,026 under the federal Homeland Security Program, which is passed through to the County by the State Office of Justice Assistance. The grant will be used to purchase equipment for the Bomb Disposal Unit, including upgrading a bomb-defusing robot with range-finding technology and other accessories to enhance its capability.

The grant requires no local match. No tax levy impact results from this fund transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 3/1/2012.
APPROVED BY THE COMMITTEE ON FINANCE AND AUDIT 3/8/2012 (VOTE 6-0).

Action Required

Finance Committee
County Board (Majority Vote)

WHEREAS, your committee has received from the Department of Administrative Services, Fiscal Affairs, departmental requests for transfer to the 2012 capital improvement accounts and the Director finds that the best interests of Milwaukee County will be served by allowance of such transfers;

THEREFORE, BE IT RESOLVED, that the Director, Department of Administrative Services, is hereby authorized to make the following transfers in the 2012 capital improvement appropriations:

	<u>From</u>	<u>To</u>
1) <u>WH089012 13th St. and Puetz Intersection</u>		
8530 – Roadway Planning and Construction (CAP)		\$300,000
4907 – Bond Notes and Proceeds	\$300,000	

An appropriation transfer of \$300,000 is requested by the Director of the Department of Administrative Services to increase expenditure authority and revenue for Project WH089 13th St. and Puetz Intersection.

A 2011 appropriation transfer, an initial authorizing resolution, and a reimbursement resolution are being submitted to the County Board for approval this cycle. The 2011 appropriation transfer seeks to move surplus expenditure authority from Project WH02005 W. Oklahoma 108th to 76th St to Project WH089012 13th St. and Puetz Intersection in order to fund unanticipated construction costs associated with the project.

Assuming approval of the other requests, the Department of Administrative Services recommends approval of this 2012 appropriation transfer to provide the project with expenditure authority in March prior to the approval of the carryovers so that invoices for work already completed can be paid. Subsequent to the final approval of the carryovers, this fund transfer will be reversed through an administrative appropriation transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 3/1/2012.
APPROVED BY THE COMMITTEE ON FINANCE AND AUDIT 3/8/2012 (VOTE 6-0).

	<u>From</u>	<u>To</u>
2) <u>WJ043012 CCFS Security Slider Doors</u>		
8501 – Bldg/Structures- New (CAP)		\$171,780
4907 – Bond Notes and Proceeds	\$171,780	
<u>WO112014 & WO112054 Fleet General and Parks Equipment</u>		
8554 – Vehicles- Replacement		\$241,982
4907 – Bond Notes and Proceeds	\$241,982	
<u>WT048011 Transit Admin Building Heating System Replacement</u>		
6146 – Professional Services- Capital/Major Maintenance		\$35,000
8551 – Mach & Equip Replacement > \$2500		\$58,000
4907 – Bond Notes and Proceeds	\$93,000	

An appropriation transfer of \$506,762 is requested by the Director of the Department of Administrative Services to increase expenditure authority and revenue for various capital projects.

This fund transfer will provide the projects expenditure authority in the first half of the year prior to the approval of the carryovers. This is being done so that work can continue on existing projects without having to wait until May. Subsequent to the final approval of the carryovers, this fund transfer will be reversed through an administrative appropriation transfer. Below is a brief explanation for the transfer of funds by project:

Project WJ043012 CCFS Security Slider Doors: An appropriation transfer was approved in December 2011 that changed the scope of the project and added additional expenditure authority. A purchase order will be issued in March and work will begin immediately afterwards. The project is expected to be complete by the end of 2012.

Project WO112014 and WO112054 Fleet Equipment Replacement: Fleet management will be purchasing vehicles/Parks mowing equipment in the first half of the year. The goal is for Parks mowing equipment to be in service for the Spring.

Project WT048011 MCTS Administration Building Heating System Replacement: The MCTS Administration Building Heating System Replacement project has been completed. This project is in the process of final billing and funds are needed to pay invoices that are now due.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 3/1/2012.
APPROVED BY THE COMMITTEE ON FINANCE AND AUDIT 3/8/2012 (VOTE 6-0).

	<u>From</u>	<u>To</u>
3) <u>WP19202 Estabrook Park OLT Erosion Repair</u>		
6146 – Prof. Serv-CAP/Major Maintenance		\$20,000
4959 – Recoveries	\$20,000	
<u>WP19204 Oak Creek Parkway Erosion Repair</u>		
6146 – Prof. Serv-CAP/Major Maintenance		\$10,000
4959 – Recoveries	\$10,000	
<u>WP19207 Grant Park Picnic Area #2 Erosion Repair</u>		
6146 – Prof. Serv-CAP/Major Maintenance		\$20,000

4959	- Recoveries	\$20,000	
<u>WP19209 Riverside Park/East Bank Erosion Repair</u>			
6146	- Prof. Serv-CAP/Major Maintenance		\$15,000
4959	- Recoveries	\$15,000	
<u>WP19210 Juneau Park/Bluff & OLT Erosion Repair</u>			
6146	- Prof. Serv-CAP/Major Maintenance		\$25,000
4959	- Recoveries	\$25,000	

An appropriation transfer of \$90,000 is requested by the Director of Parks, Recreation and Culture to increase expenditure authority and revenues for capital project WP192 – Countywide Parks FEMA Improvements to plan, design and repair parkland and structures that were damaged during the July 2010 floods.

Some of the damage that occurred during the floods is eligible for federal assistance. The Parks Department has obtained approval from the Federal Emergency Management Agency (FEMA) for 75 percent FEMA reimbursement. The 25 percent match is provided from 12.5 percent from the State of Wisconsin and 12.5 percent from the County.

The Parks Department has identified approximately \$2.5 million in improvements that are to be reimbursed by FEMA for flooding that occurred in July of 2010.

An appropriation transfer of \$173,000 was approved in May 2011 to establish expenditure authority and revenues for capital project WP192 – Countywide Parks FEMA Improvements. The transfer provided financing for planning, design and repair of Parks improvements that are eligible for FEMA reimbursement, which is a portion of the \$2.5 million mentioned above. The repairs included such work as stabilization, regrading and clearing debris. The projects must be complete by August of 2012 in order to receive FEMA reimbursement, although FEMA may grant an extension.

Since approval of the May 2011 appropriation transfer, preliminary plans and estimates for eight of the areas have been prepared and will be reviewed by FEMA. After approval by FEMA and approval of a future appropriation transfer that provides financing for the local match for the project, construction will be able to begin. The Parks Department will continue to work with the Department of Administrative Services to determine a funding source for the County’s match for the project.

This March 2012 appropriation transfer will increase financing for the design and planning for erosion repairs at Estabrook Park OLT, Oak Creek Parkway, Grant Park Picnic Area #2, Riverside Park/East Bank, and Juneau Park/Bluff & OLT. The costs for the design phases of these areas were higher than anticipated. Financing is be provided by FEMA revenue that has already been received by the Parks Department.

This fund transfer has no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 3/1/2012.
APPROVED BY THE COMMITTEE ON FINANCE AND AUDIT 3/8/2012 (VOTE 6-0).

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(ITEM ³²) From the Department of Administrative Services, requesting authorization for an initial resolution authorizing the issuance of \$330,000 in General Obligation Corporate Purpose Bonds, by recommending adoption of the following:

A RESOLUTION

BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County, Wisconsin, that there shall be issued the general obligation bonds of said County in an aggregate principal amount not exceeding \$330,000 for the public purpose of providing for the construction of highways and highway improvements and for the purpose of paying the various installments of principal of and interest on said bonds as they severally mature, prior to the issuance and delivery of said bonds there shall be levied on all taxable property in said County a direct annual irrevocable tax sufficient for that purpose.

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(ITEM) From the Department of Administrative Services, expressing official intent regarding certain capital expenditures to be reimbursed from the proceeds of an obligation, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Milwaukee County, Wisconsin (the "Issuer") now wishes to advance moneys from available funds to pay the costs of a capital project described in *Exhibit A* attached hereto and made a part hereof (the "Project"); and

WHEREAS, all or a portion of the expenditures relating to the Project and to be made from such funds (the "Expenditures") (i) have been paid within the sixty (60) days prior to the passage of this Resolution, or (ii) will be paid on or after the passage of this Resolution; and

WHEREAS, the Issuer reasonably expects to reimburse itself or pay for the Expenditures with the proceeds of general obligation bonds or notes; now, therefore,

BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County, Wisconsin, as follows:

Section 1. The Issuer reasonably expects to reimburse or pay the Expenditures with proceeds of general obligation bonds or notes.

Section 2. The maximum principal amount of the obligations expected to be issued for the Projects and to be made from the funds is \$330,000 in general obligation bonds or notes.

Section 3. All actions of the officers, agents and employees of the Issuer that are in conformity with the purposes and intent of this Resolution, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. This Resolution shall be in full force and effect immediately upon its adoption.

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EXHIBIT A

PROJECT	AMOUNT
WH22901 – S. 13 th St. and W. Puetz Intersection	\$330,000

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(ITEM) From the Department of Administrative Services, requesting authorization to direct the publication of a notice to the Electors regarding the adoption of an initial resolution, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the County Board of Supervisors of Milwaukee County, Wisconsin (the "County") has adopted an initial resolution regarding the issuance of general obligation bonds of the County to provide for the construction of highways and highway improvements on March 15, 2012; and

WHEREAS, Section 67.05(4) of the Wisconsin Statutes, as supplemented and amended, provides for the electors of the County to submit a petition requesting the submission of such initial resolution to the electors of the County for approval, and requires that notice be given to the electors of the County of the adoption of said initial resolution and said right to submit a petition; now, therefore,

BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County, Wisconsin, that the County Clerk of the County is hereby directed to publish notice of the adoption of said initial resolutions one time in The Daily Reporter and in the Milwaukee Journal Sentinel, within fifteen (15) days of the adoption of said initial resolution (to-wit, March 30, 2012), such notice to be in substantially the form as follows:

26 Official Notice to Electors
27 of Milwaukee County, Wisconsin
28 of Adoption of an
29 Initial Resolution
30

31 An initial resolution was adopted at the adjourned regular meeting of the County
32 Board of Supervisors of Milwaukee County, Wisconsin, on March 15, 2012, and promptly
33 recorded, providing for the issuance of general obligation bonds of the County, as follows:
34

35 BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County,
36 Wisconsin, that there shall be issued the general obligation bonds of said County in an
37 aggregate principal amount not exceeding \$330,000 for the public purpose of providing for
38 the construction of highways and highway improvements. For the purpose of paying the
39 various installments of principal of and interest on said bonds as they severally mature,
40 prior to the issuance and delivery of said bonds there shall be levied on all taxable property
41 in said County a direct annual irrevocable tax sufficient for that purpose.
42

43 The bonds authorized to be issued by said initial resolution set out above shall be
44 issued by Milwaukee County, Wisconsin, unless, before 4:30 P.M., on April 16, 2012, a
45 petition is filed in the office of the County Clerk of said County by electors of said County
46 numbering at least ten percent (10%) of the votes cast for governor in the County at the last
47 general election requesting that the initial resolution be submitted to the electors, as
48 provided in Section 67.05(4) of the Wisconsin Statutes, as supplemented and amended.
49

50 Dated: March 15, 2012

51
52 /s/ Joseph J. Czarnecki
53 County Clerk
54

55 By order of the County Board of Supervisors

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(ITEM) From the Department of Administrative Services, requesting authorization for advertisement for public sale and the sale of General Obligation Corporate Purpose Bonds of Milwaukee County, Wisconsin, in an aggregate principal amount not to exceed \$330,000, and related matters, by recommending adoption of the following:

A RESOLUTION

WHEREAS, counties are authorized by Chapter 67 of the Wisconsin Statutes, as supplemented and amended, to borrow money and to issue bonds and promissory notes to finance any project undertaken for a public purpose and to refund municipal obligations, including the interest thereon; and

WHEREAS, it has previously been determined that it was necessary and desirable to issue general obligation bonds of Milwaukee County, Wisconsin (the "County"), for the public purposes of financing the construction of highways and highway improvements in the aggregate principal amount of \$330,000, pursuant to Chapter 67 of the Wisconsin Statutes, as supplemented and amended; and

WHEREAS, it is now necessary and desirable for the County to issue its General Obligation Corporate Purpose Bonds in an aggregate principal amount not to exceed \$330,000; now, therefore,

BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County, Wisconsin, as follows:

Section 1. There shall be issued the General Obligation Corporate Purpose Bonds of the County in an aggregate principal amount not to exceed \$330,000 (the "Bonds"). The Bonds shall be issued for the purpose aforesaid in one or more series; provided, that the County may issue promissory notes instead of some or all of the Bonds; provided further, that some or all of the Bonds may be combined with other issues of bonds or notes of the County; provided further, that the Director of the Department of Administrative Services of the County is hereby authorized to make all such changes to the resolutions adopted by the County Board of Supervisors of the County relating to the Bonds and the financing structure of the Bonds to conform to any changes to such resolutions and financing structures, which are approved by the Finance and Audit Committee of the County Board of Supervisors of the County.

Section 2. For the purpose of offering the Bonds for sale, pursuant to Section 67.08(2), Wisconsin Statutes, as supplemented and amended, the Director of the Department of Administrative Services of the County is hereby authorized and directed to cause to be circulated the Official Terms of Offering for the Bonds and to disseminate appropriate notices of the sale of the Bonds at such times and in such manner as the

45 Director of the Department of Administrative Services of the County may determine and to
46 receive bids for the Bonds at such time or times as the Director of the Department of
47 Administrative Services of the County may determine. The Director of the Department of
48 Administrative Services of the County shall also cause to be prepared and distributed an
49 Official Statement or Official Statements, including the Official Terms of Offering, with
50 respect to the Bonds.

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52 Section 3. After receipt of bids for the Bonds and consideration thereof by this
53 County Board of Supervisors, this County Board of Supervisors will consider resolutions
54 awarding the Bonds to the best bidder or bidders, prescribing the terms thereof and the
55 form of Bond, and levying taxes in the specific amount necessary to pay the principal of
56 and interest on the Bonds.

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58 Section 4. Proceeds of the Bonds shall be applied at the direction of the Director
59 of the Department of Administrative Services of the County to the payment of issuance
60 expenses with respect to the Bonds. An administrative appropriation transfer will be
61 processed to increase expenditure authority in the non-departmental Debt Issue Expense
62 budget to pay such issuance expenses. The issuance expenses cover the fees for the
63 following services provided in connection with the issuance of the Bonds as well as the out
64 of pocket disbursements of the County: credit rating agencies, bond insurance, official
65 statement printing and mailing, financial advisory services, bond counsel services, financial
66 auditor services and other fees related to the issuance of the Bonds.

67

68 Section 5. Copies of Resolution to Bond Counsel. The County Clerk is directed
69 to send certified copies of this resolution to the County's co-bond counsel, Chapman and
70 Cutler LLP, 111 West Monroe Street, Chicago, Illinois 60603, Attention: Charles L. Jarik,
71 and Emile Banks & Associates, LLC, Suite 290, 1200 North Mayfair Road, Milwaukee,
72 Wisconsin 53226, Attention: Emile Banks, and to the Department of Administrative
73 Services, Attention: Pamela Bryant.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 02/17/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Initial Authorizing and Reimbursement Resolutions for S. 13th St. and W. Puetz Rd.

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input checked="" type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	See explanation
	Revenue	0	
	Net Cost	0	See explanation
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

- A. The Department of Administrative Services is requesting approval of initial authorizing resolutions to issue Corporate Purpose Bonds or Notes for a not-to-exceed amount of \$330,000 in 2013. An appropriation transfer has been submitted for the S. 13th St. and W. Puetz Rd. Intersection. Although expenditure authority of is being transferred from Project WH02005 W. Oklahoma Ave. (76th to 108th) since the associated bonds have not yet been issued, an initial authorizing and a reimbursement resolution are necessary.
- B. The County will pledge to levy taxes to pay the debt service payments.
- C. The estimated total debt service cost is \$454,406.01. The first debt service payment amount, the following year after the bonds are issued, which reflects current County practice. For example, if the bonds are issued in 2013, the first debt service payment would occur in 2014. Therefore, if the County approves the appropriation transfer and proceeds in accordance with County practice regarding bond financing, the 2014 budget will include approximately \$27,769.25 in debt service costs relating to the project discussed in the attached memo.
- D. The estimated interest rate for the debt service payments is 4.5% for a 15 year term.

Department/Prepared By Justin Rodriguez

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

1 Supervisor Peggy Romo West, Chairperson,
2 By the Committee on Health and Human Needs, reporting on:

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File No. 12-170

(ITEM 33) A Resolution to **RECEIVE AND PLACE ON FILE** (vote 7-0) an informational report from the Director of the Architecture, Engineering, and Environmental Services Division, Department of Administrative Services, regarding progress of a Request for Proposals (RFP) for architectural design services for a new mental health facility.

jlw
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**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: February 14, 2012

TO: Supervisor Michael Mayo, Sr., Chairperson, Transportation, Public Works & Transit Committee
Supervisor Peggy Romo West, Chairperson, Health & Human Needs Committee
Supervisor Lynn DeBruin, Vice-Chairperson, Finance & Audit Committee

FROM: Gregory G. High, Director, Architecture, Engineering and Environmental Services Section, DAS - Facilities Management

SUBJECT: **Informational Report Regarding Progress of an RFP for Architectural Design Services for a New Mental Health Facility**

POLICY

In September 2011, the County Board passed a resolution (File No. 11-516) endorsing a plan submitted by the New Behavioral Health Facility Study Committee (Facility Committee) which directed the Director of the Department of Administrative Services (DAS) to return to the Committee on Health and Human Needs and the Committee on Finance and Audit in the March 2012 County Board meeting cycle to report on the results of a Request for Proposal (RFP) for architectural design services for a new mental health facility.

BACKGROUND

In the last three months of 2011 DAS, Facilities Management Division (DAS-FM), Architecture, Engineering and Environmental Services Section (AE&ES) met several times with the project team comprised of Behavioral Health Division (BHD) and Department of Health and Human Services (DHHS) staff regarding the component of the approved Facility Committee plan dealing with actual planning, design and construction of a new mental health hospital. The team reviewed the approved County Board resolution, various reports and associated documents to develop a project scope of work required to issue the RFP (see attachments).

Consultant Services Scope of Work

After establishing the project scope, the project team decided to divide the consultant services scope of work in to two stages: Project Programming and Project Design. In the Programming stage the consultant is asked to:

- Establish a methodology to verify existing information and stimulate client and user groups decisions necessary to establish client goals
- Process extensive existing data
- Determine what goals and objectives are to be achieved
- Confirm the construction budget
- Synthesize spatial needs and quality of construction
- State what are the significant conditions and general directions the design of a new building or facility should take

Informational Report Regarding Results of an RFP for Architectural Design Services for a New Mental Health Facility

Date: February 14, 2011

- Establish the likely annual costs for operation and maintenance over the life of the facility.

In the Design stage the consultant services include these project phases:

- Schematic Design
- Design Development
- Construction Documents
- Bidding/Negotiation
- Construction Administration.

The architect/engineer responsible for design must provide Milwaukee County with final plans stamped and signed by the responsible architect/engineer(s) with their respective Wisconsin Registration Seal(s).

Tentative Schedule

The RFP document was advertised in the Daily Reporter and posted on the Milwaukee County Business Portal on 1/19/12. A mandatory pre-proposal meeting for the interested consultants was conducted on 1/31/12. Representatives from 21 consulting firms attended. The responses to the RFP are due on 2/20/12. The proposed schedule of remaining activities for consultant selection and award are as follows:

- Selection Committee Review 2/21/12 thru 2/29/12
- Selection Committee Picks Top 3 Consultants 3/01/12
- Interview of Top Three Consultant(s): 3/15/12

Consultant Contract Award and all subsequent scheduled activities are contingent on County Board approval of the release of funding to proceed with the project.

- Consultant Contract Award: 3/20/12 thru 3/27/12
- Consultant agreement signed and Notice to Proceed: 3/27/12 thru 4/10/12

The proposed schedule of activities for the Programming Stage are as follows:

- Programming Plan Phase completed: 4/12/12 thru 5/10/12
- Reviewed and approved: 5/11/12 thru 5/18/12

The proposed schedule of activities for the Design Stage are as follows:

- Schematic Design: 5/21/12 thru 7/02/12
- Design Development Phase completed: 7/16/12 thru 8/17/12
- Construction / Bid Documents 100% completed: 11/12/12
- Bidding Phase, project out to Bid: 11/19/12
- Bid Opening Due: December 2012
- Award Construction Contract: January 2013
- Pre-construction meeting: February 2013
- Project Closeout, Project completed: December 2014

Informational Report Regarding Results of an RFP for Architectural Design Services for a New Mental Health Facility

Date: February 14, 2011

Next Steps

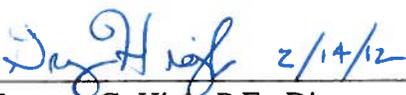
As stated above, the consultant contract award cannot take place until the County Board authorizes the use of a portion of the 2010 budgeted capital funds remaining in the allocated contingency fund (WE033) to pay for these consultant services and the related services provided by DAS-FM, AE&ES staff.

As indicated in the New Behavioral Health Facility Study Committee's Final Report and resolution, approval to proceed with the planning and design of the new building cannot be provided until final recommendations from DHHS and BHD are presented and reviewed regarding the level of inpatient and outpatient care needed in the future. BHD has submitted reports to the County Board but is still working toward final recommendations with the Mental Health Redesign Task Force.

The consultant contract award is also contingent per the resolution on the outcomes of the pending report on alternatives to Milwaukee County owning a mental health facility, including but not limited to options of leasing, engaging a private developer to build a new hospital for Milwaukee County in exchange for long term guaranteed lease payments (build-lease), private public partnerships developed through a Health Care Authority model or the option of leveraging property owned at the County Grounds for public/private partnerships to realize the goal of providing the best care for mental health patients while also maximizing reimbursements for the County. The fiscal workgroup, as established per the resolution, has met to discuss this and other fiscal related issues but the group also needs more time before final recommendations can be made.

The Director of DAS-FM, AE&ES will submit an updated report on the results of the RFP for architectural design services for a new mental health facility in the next County Board Committee cycle.

Respectfully Submitted,


Gregory G. High, P.E., Director
AE&ES Section, DAS-FM Division

GGH:

- Attachments (2):
1. RFP Cover Letter
 2. Resolution (File No. 11-516)

cc: Chris Abele, Milwaukee County Executive
Terrence Cooley, Chief of Staff, County Board of Supervisors
Amber Moreen, Chief of Staff, County Executive's Office

Informational Report Regarding Results of an RFP for Architectural Design Services for a New Mental Health Facility

Date: February 14, 2011

Pam Bryant, Interim Fiscal and Budget Administrator, DAS

Héctor Colón, Director, Department of Health and Human Services

Paula Lucey, Administrator, Behavioral Health Division

Tia Torhorst, County Executive's Office

CJ Pahl, Assistant Fiscal and Budget Administrator – DAS

Antoinette Thomas-Bailey, Fiscal and Management Analyst – DAS

Jennifer Collins, County Board Staff

Jodi Mapp, County Board Staff

REFERENCE NO. _____

January 19, 2012

**REQUEST FOR PROPOSALS TO PROVIDE PROFESSIONAL
ARCHITECTURAL & ENGINEERING SERVICES
TO DESIGN
A NEW BEHAVIORAL HEALTH BUILDING
FOR
MILWAUKEE COUNTY
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

Project No. E033-12415: Behavioral Health Department

**MILWAUKEE COUNTY
DEPARTMENT OF ADMINISTRATIVE SERVICES
Facilities Management Division
ARCHITECTURAL, ENGINEERING & ENVIRONMENTAL
SERVICES
2711 W. WELLS STREET
MILWAUKEE, WI 53208**

January 19, 2012

Ref. No.

All Interested Consultants.

Subject:

Request For Proposals (RFP) To Provide Professional Architectural and Engineering Design Services:

Project No. & Name -

E033: Behavioral Health Department - New Building Design Milwaukee, Wisconsin

Section I - Introduction:

Background

This is a Request for Proposal (RFP) authorized by the Department of Health and Human Services (DHHS) to provide basic professional architectural and engineering design services necessary to program and design a new behavioral health building, which is necessary to assure continued mental health services in the Milwaukee area. The new building may replace functions now provided at the existing Behavioral Health Division (BHD) facility located at 9455 Watertown Plank Road, in Wauwatosa, Wisconsin.

The Mental Health Complex was constructed in 1978 and is located at 9455 Watertown Plank Road in Wauwatosa, Wisconsin. It is a four story, multi-level facility constructed slab on grade. The existing 300 bed facility includes a licensed psychiatric care hospital unit, with approximately 120 beds; two long term care nursing homes for mentally ill, approximately 21 beds; a chronically mentally ill patients unit, approximately 72 beds; and a dual diagnosis unit, approximately 72 beds. Emergency room services for 15 beds are provided to patients with mental related problems. Conference rooms, administrative support offices, doctor offices, and nurses' stations are located within the facility, as well. Minor renovations have occurred in various sections of the hospital since its original construction; although a code compliance upgrade, HF124, as mandated by the state of Wisconsin, is currently underway. The facility also includes a sandwich shop, a courtroom, a pharmacy, a group therapy and security station. The BHD currently uses approximately 425,400 total square feet of a total usable space of 591,000 square feet.

Over the last 5 years BHD has been actively exploring various ways to provide efficient space of their operations. Consideration has been given to consolidating space used within the existing building, relocating BHD into an existing newly remodeled code compliant building, building a new building, or a combination thereof.

Design Considerations

In the past two years, on behalf of Milwaukee County Department of Health and Human Services [DHHS], planning and space evaluation studies were conducted by a respected, local architectural firm, Zimmerman Architectural Studios [ZAS]. The studies first looked at relocating the Behavioral Health Division [BHD], including a Psychiatric Crisis Services/Observation Unit, Patient Units, and office space into the existing St. Michaels Hospital. Subsequently a plan submitted by the "New Behavioral Health Facility Study Committee" endorsed a plan stating that Milwaukee County's current inpatient model of providing mental health care is financially unsustainable and less cost effective than a community-based mental health system and urged county government to permanently and fundamentally shift its funding, staffing, and programming

into a community-based system of care, also, endorsing Milwaukee County's continued operation of an inpatient hospital facility with a hypothetical 120 (*maximum*) number of county provided inpatient beds as part of the Milwaukee County obligation to provide safety net services to persons with mental illness.

The New Behavioral Health Facility Study Committee, the DHHS and BHD presented a report that responded to the question, "If a new mental health facility were to be built, what would be the minimum size (*building*) needed and what would need to occur to assure continued service to individuals with mental health services needs in Milwaukee County?"

ZAS presented a preliminary model of what they envisioned a future mental health facility might look like to the New Behavioral Health Facility Study Committee. However, ZAS was clear in stating that the model that they presented was not intended to be taken as a final recommendation of what the future Milwaukee County mental health facility might look like. Based upon the ZAS report the following data was generated:

Building Location: 10 to 13 acres on Milwaukee County Grounds site

- 450 Surface parking spaces
- 0.75 Acre detention pond (*for storm water management*).
- Loop water system with two water sources per hospital code

Building Gross Floor Area: 200,000 gross square feet

- 96 long term inpatient beds
- 24 observation beds
- 140,000 square feet (approx.) Patient Units, Support Services and Day Treatment
- 60,000 square feet (approx.) Medical Office Building
Note: 300 Offices/Cubicles
- Patient Care Hospital with 24 Beds/Patient Unit (*one-story unit*).
- Expansion or swing space (*to be used as needed*).

Estimated Probable Construction Costs: Between \$49,363,000 @ \$200/sf. and \$59,187,000 @ \$242/sf. (*Exclusive of engineering design and County A/E project management fees*)

Information Technology Costs: \$600,000 (approx.)/300 Units (*Offices/Cubes*), including phones, switches, new computers, cabling and internet, copiers, printers, and teleconferences units.

Movable Equipment: Not included

Furniture Costs: \$360,000 at \$6.00/square foot.

Moving and Relocation Costs: \$200,000 (*Moving existing furniture, patient belongings, support equipment and miscellaneous*).

Section II - General:

Consultant services shall be divided into two distinct parts: Programming and Design. Both parts are required to establish and confirm the design and construction of a new Behavioral Health Facility for Milwaukee County Department of Health and Human Services.

Project Programming Stage:

The Consultant shall establish a methodology to verify existing information and stimulate client and user groups decisions, which shall be necessary to establish client goals, process extensive

existing pertinent information and data, determine what goals and objectives shall be achieved, confirm the construction budget, synthesize spatial needs and quality of construction, and, finally, state what are the significant conditions and general directions the design of a new building or facility should take. The Consultant shall also establish in this phase the likely annual costs for operation and maintenance over the life of the facility.

The consultant shall demonstrate that it has an effective strategy to match up client goals, facts, concepts, needs, and problems with form, economy and time (historical, present, and future) as it relates to this project, a new behavioral health facility. The consultant's program must be well organized, make sense, and ease transition from program to design.

(Refer to Attachment 2 – Milwaukee County Department of Administrative Services Type "A" Agreement, attached).

Project Design Stage:

Design services shall include programming, Schematic Design, Design Development, Construction Documents, Bidding/Negotiation and Construction Administration Phases. The architect/engineer responsible for design must provide Milwaukee County with final plans stamped and signed by the responsible architect/engineer(s) with their respective Wisconsin Registration Seal(s).

A copy of Milwaukee County Department of Public Works - Stipulated Sum (Lump Sum) Standard Prime Consultant Agreement for Professional Services (Type "A" Agreement) is attached. The Architect/Engineer's (*Consultant's*) scope of service is to be divided into six (6) phases.

(Refer to Attachment 2 - Type "A" Agreement, Article 3: Basic Services).

Section III - Scope of Consultant's Basic Services:

- A. Stage 1 – Project Programming
- B. Stage 2 – Project Design

Phase 1 – Schematic Design Phase:

Provide a schematic design and cost estimate for this phase of the project. The cost estimate shall be broken down into the proposed respective construction phases and include a breakdown of the major components. Include a breakdown of work done as a part of this project's construction budget and, if necessary, those items that might need to be funded outside the project budget or in future years.

Phase 2 - Design Development Phase:

Based upon the approved written program and budget, the Consultant shall prepare studies and drawings, an outline specification of suggested construction materials and systems, and submit recommendations for approval by the Owner.

Phase 3 - Construction Document Phase:

Based on the approved results of the Design Development Phase, this phase will include a minimum eighty percent (80%) completed construction / bid documents review period for the work to be included in the construction phase of this project, which includes the Project Manual and Drawings.

This phase of the project shall also include the 100% completion of the construction Bid Documents, printing and delivery of one (1) set of the completed construction Bid Documents for reproduction and distribution by Milwaukee County during the bidding phase of the project.

Phase 4 - Bid / Negotiation Phase

All Contract Documents shall be made available to the bidders through the Owner. The Consultant, however, shall be prepared to answer questions and provide necessary clarifications to the Contract Documents when required at no additional cost to the Owner.

Phase 5 - Construction Phase

In addition to the documentation requirements for each phase of work as noted in the attached agreement for professional services, the Consultant(s) will be required to provide a zip disk in Microsoft Word 2000 format, containing all relevant project documents they have prepared during each phase of the project. Those documents shall include all correspondence, transmittals, etc. to Milwaukee County, other agencies, sub-consultants, etc.

Milwaukee County reserves the right to request partial or full reimbursement from consultants for change orders resulting from errors and omissions in the services they are contracted to provide.

General Services Required of Consultant(s):

The Consultant shall provide complete and comprehensive architectural programming and design services. The architect/engineer responsible for the design must provide Milwaukee County with final plans stamped and signed by the responsible architect/engineer(s) with their Wisconsin Registration Seal(s).

(Refer to Attachment 2 – Milwaukee County Department of Administrative Services Type "A" Agreement for additional information regarding the requirements of the Milwaukee County Professional Services contract.)

Section IV – Tentative Schedule:

The schedule shown below is based on Consultant Contract Award Date of April 9, 2012.

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|----|--|----------------------|
| 1. | RFP Public Advertisement start | 1/19/12 thru 2/20/12 |
| 2. | RFP Pre-proposal Meeting (MANDATORY) | 1/31/12 |
| 3. | RFP Due: 2/20/12 and Selection Committee Review | 2/21/12 thru 2/29/12 |
| 4. | Selection Committee top 3 Consultants | 3/01/12 |
| 5. | Interview of Top Three Consultant(s): | 3/15/12 |
| 6. | Consultant agreement signed and Notice to Proceed: | 3/27/12 thru 4/10/12 |

Part 1 of Consultant Services

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|--------------------------------------|----------------------|
| 7. Programming Plan Phase completed: | 4/12/12 thru 5/10/12 |
| 8. Reviewed and approved: | 5/11/12 thru 5/18/12 |

Part 2 of Consultant Services

- | | |
|---|------------------------|
| 9. Schematic design Phase completed: | 5/21/12 thru 7/02/12 |
| 10. Reviewed and approved: | 7/03/12 thru 7/13/12 |
| 11. Design Development Phase completed: | 7/16/12 thru 8/17/12 |
| 12. Reviewed and approved: | 8/20/12 thru 8/27/12 |
| 13. Construction / Bid Document 80% Completed: | 10/15/12 |
| 14. 80% Construction / Bid Documents reviewed & approved: | 10/22/12 |
| 15. Construction / Bid Documents 100% completed: | 11/12/12 |
| 16. Print & Deliver Bid Documents: | 11/13/12 thru 11/16/12 |
| 17. Bidding Phase, project out to Bid: | 11/19/12 |
| 18. Bid Opening Due: | 12/19/12 |
| 19. Award Construction Contract: | 1/11/13 |
| 20. Construction, Notice to Start Construction to Contractor: | 1/25/13 |
| 21. Pre-construction meeting: | 2/08/13 |
| 22. Project Closeout, Project completed: | 6/08/14 |

Section V - Proposal Content:

Each proposal shall contain a description or information in the following areas:

- A. Cover: Include project number and name, project location, proposal title (Proposal for Professional Services), Consultants name(s), address(es), telephone number(s), FAX number(s), etc., proposal date, etc.
- B. Table of Contents: Include a clear identification of the material by section and by page number.
- C. Letter or Transmittal: Limit to two pages; briefly state the consultant's understanding of the service to be provided and a positive commitment to perform the services as defined in the RFP.
- D. Organization Description: A description of the organization submitting the proposal, include the name, size, legal status (corporation, partnership, etc.), professional registration / certification, major type of activity or areas of consulting. The organization must be licensed to operate in the State of Wisconsin. Include a copy of current license, certification or registration.
- E. Organization's Experience: We are looking for Architecture/Engineer(s) who have proven experience in similar types of projects. We are looking for Architect/Engineer(s) who have proven experience in similar types of projects, as well as LEED, Green Globe, green building, and sustainable design practice experience. Include a list of similar projects that the organization has participated on in the past five (5) years. Attach a separate sheet for each project, up to five (5) maximum, giving a brief description of each project and the organization's participation.

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- F. **Project Organization and Staff Experience:** Include an organizational structure of the project team, including the relationship of the sub-consultants chosen for this project. The name of the Principal-In-Charge of this project along with their Professional Engineers Registration Number in the State of Wisconsin must be clearly indicated in this section of the proposal, along with the name, occupation and title of the Project Manager, who will be in charge of this project. Provide a resume' for each individual involved in the project, and include their name, title and duties for the project, professional registration, a brief description of related experience including time contribution in this capacity to past projects and qualifications.
- G. **Alternate Principal-In-Charge:** Include the name of an Alternate Principal-In-Charge in the event that the originally declared Principal-In-Charge is not able to fulfill their duties. Milwaukee County DPW also reserves the option to select an Alternate Principal-In-Charge.
- H. **Sub-Consultants:** Indicate the names and addresses of any sub-consultants and/or associates proposed to be used in this project. State the capacity they would be used in and the approximate percentage of the total services they would provide. Also state their past experience in the field of service required.
- I. **Project Approach:** Provide a description of the programmatic, architectural, engineering, environmental, mental health service challenges and public involvement issues you anticipate in this project and how you propose to overcome them.
- J. **Scheduling:** Provide a bar chart form schedule which indicates a sequential, time table, and relationship of tasks, which are necessary to complete the project, based on the schedule as noted in the Project Schedule of this RFP.
- K. **Constant Effort:** Provide a detailed breakdown (*spreadsheet format*) of the direct hours by task, position, and person to complete the project as described in this RFP.
- L. **DBE Goals:** Milwaukee County's policy is to achieve twenty-five percent (25%) Disadvantaged Business Enterprise participation in the professional services to be performed. The proposal must list names and addresses of the DBE firms used, the tasks performed by them and percentage of the work performed by them. The work must be done by certified DBE firms, with the goal of the selected work which will enhance and further the DBE's experience in the design through construction administration process of this project. For assistance, contact the Community Business Development Partners [CBDP] Office at (414) 278-5248.
- M. **Quality Control:** Submit a contract document quality control plan. Quality control is to be performed by individuals not assigned to the project on a ongoing basis.
- N. **Equal Opportunity Employer:** The Consultant(s) must be an Equal Opportunity Employer. Proof of this must be indicated in that section of the Proposal.
- O. **Fee Proposal:** The fee for this project shall be clearly stated as a lump sum for basic services as detailed in this document. Progress payments for those services will be

made as stated in the attached professional services agreement. Include a copy of Attachment B-1" of the attached professional services agreement in this part of the proposal to indicate the direct salary rates, fixed overhead rates, etc. for any additional services that may be required.

Section VI - Proposal Submission Requirements and Format:

- A. The Proposal must be submitted by Monday, February 20, 2012 at 2:00 P.M. csto:
Milwaukee County Department of Administrative Services
Architecture, Engineering & Environmental Services Section
Facilities Management Division
City Campus, Room 223
2711 W. Wells Street.
Milwaukee, Wisconsin 53208
Attention: Walter L. Wilson, FAIA, NOMA, NCARB
Principal Architect
- B. Six (6) copies of the Proposal must be submitted in a sealed envelope only. No other container is acceptable.
- C. Each envelope must be identified with the submission date, RFP number, project number and title, and name and address of the submitting party. Envelopes which are not properly identified or received after the time and date as noted above will be rejected.
- D. The proposal must be submitted in a single bound 8-1/2" X 11" document.
- E. In order to expedite the Agreement award process, each Prime Consultant is to completely fill in and include the attached Stipulated (Lump Sum) Standard Prime Consultant Agreement for Professional Services Type "A" Agreement. Insurance forms as required per the agreement will be required from the successful consultant only. This is to be included in the Fee Proposal envelope.

Section VII - Proposal Evaluation / Consultant Selection:

- A. Refer to Section XV of the attached "Milwaukee County Proposal Preparation, Submission and Evaluation Guidelines" for the evaluation criteria. Proposers must recognize this is not a bid procedure and a Professional Services agreement will not be awarded solely on the basis of the low fee proposal. Milwaukee County reserves the right to accept or reject any and all proposals, issue addenda, request clarification, waive technicalities, alter the nature and/or scope of the proposed project, request additional submittals, and/or discontinue this process.
- B. With the signing and submission of a statement of proposal the submitting the Consultant certifies that the standard terms and conditions of the Agreement for Professional Services (that will be used to contract with the selected consultant) has been read and understood and that the submitting consultant is ready, willing and able to sign the agreement when requested without making any substantive changes.

-
- C. The successful Consultant must be an Equal Opportunity Employer.
- D. Proposals will be evaluated and ranked on the following criteria:
- | | |
|--|-------|
| 1. Quality and responsiveness to the RFP: | 20%. |
| 2. Project approach and understanding, including strategy to perform requested work and time schedule* | 35%. |
| 3. Qualifications and experience Prime Consultant* | 20%. |
| 4. Fee and hourly rates: | 10%. |
| 5. Qualifications/Experience of DBE Consultant(s) | 15%. |
| <hr/> | |
| Total: | 100%. |
- E. The evaluation team will be made up of three (3) to five (5) individuals with technical knowledge of the requirements, and familiarity with the project.
- F. Selection of the Consultant(s) will be made entirely on the basis of the items requested in the RFP and as addressed in the Proposals.
- G. The evaluation may include an interview of a short list of up to three (3) finalists.

However, an award may be made without this interview. The interview will be evaluated 40% on the previous qualification rating, as well as fee and the response to the project requirements. A contract award may be made without this interview.

* Amends "Proposal Preparation, Submission & Evaluation", Article XV, paragraph b & c in Attachment 3.

Section VIII – General Requirements:

- A. The successful Consultant and/or any Contractor affiliated with the prime consultant shall be prohibited from submitting bids in the construction bidding process for this project.
- B. Bidders shall follow Milwaukee County Code of Ethics as follows:
- 1) No person(s) with a personal financial interest in the approval or denial of a Contract being considered by a County department or with an agency funded and regulated by a County department, may make a campaign contribution to any County official who has approval authority over that Contract during its consideration.
 - 2) Contract consideration shall begin when a Contract is submitted directly to a County department or to an agency until the Contract has reached final disposition, including adoption, County Executive action, proceeding on veto (if necessary) or departmental approval.

- C. Milwaukee County reserves the right, in its sole discretion, to reject any or all proposals, issue addenda, request clarification, waive technicalities, alter the nature and / or scope of the proposed project, request submittal, and / or discontinue this process.
- D. Milwaukee County shall be not be responsible for oral interpretations that commit the County to the influence of the outcome of the proposal, given by Milwaukee County employees, representatives, or others.
- E. All proposals should use this RFP and its attachments as the sole basis for the proposal.
- F. The issuance of a written addendum and the pre-proposal meeting are the only official methods through which interpretation, clarification or additional information will be given.
- G. Proposals will not be opened in public.
- H. This is an RFP, not a bid. Therefore, Milwaukee County is not bound to accept the lowest fee for professional services as the basis of selecting Consultant(s).
- I. All incurred costs attributable to preparing a proposal, attending the selection interview, if required, or supplying additional information requested by Milwaukee County, is the sole responsibility of the submitting party.
- J. All materials submitted will not be returned.
- K. All questions regarding this RFP shall be directed in writing to:

Milwaukee County Dept. of Administrative Services
Architecture, Engineering & Environmental Services Section
Facilities Management Division
City Campus - Room 223
2711 W. Wells Street
Milwaukee, Wisconsin 53208
Tel.: (414) 278-4854. Fax: (414) 223-1366
Internet Email: wwilson@milwcnty.com

Attention: Walter L. Wilson, FAIA, NOMA, NCARB
Principal Architect

Sincerely,

Walter L. Wilson, FAIA, NOMA, NCARB.
Principal Architect

Attachments:

- Attachment 1 – Project Location Map
- Attachment 2 - Milwaukee County Dept. of Public Works - Stipulated Sum (Lump Sum) Standard Prime Consultant Agreement for Professional Services (Type*A*Agreement)
- Attachment 3 – Proposal Preparation, Submission and Evaluation Guidelines

Attachment 4 – Consultant Proposal Form
Attachment 5 - Study for Milwaukee County Behavioral Health New Hospital Conceptual Layout
Milwaukee County Inter-Office Communication Dated April 18, 2011 from Interim Dir. DHHS

1 Supervisor Joseph Sanfelippo, Chairperson
2 From the Committee of the New Behavioral Health Facility Study, reporting on:

3
4 File No. RES 11-516
5

6 (ITEM) A resolution by Supervisors Sanfelippo, De Bruin, Schmitt, Dimitrijevic, and
7 Romo West, endorsing a plan submitted by the Milwaukee County New Behavioral
8 Health Facility Study Committee which states that the county's current inpatient model
9 of providing mental health care is financially unsustainable and less cost effective than a
10 community-based mental health system and urging county government to permanently
11 and fundamentally shift its funding, staff, and programming into a community-based
12 system of care and endorsing Milwaukee County's continued operation of an inpatient
13 hospital facility with a 120 maximum number of county provided inpatient beds as part
14 of the county's obligation to provide safety net services for persons with mental illness,
15 by recommending adoption of the following:

16
17 **AN AMENDED RESOLUTION**

18
19 WHEREAS, the Milwaukee County Behavioral Health Division (BHD) is a public
20 sector system for the integrated treatment and recovery of persons with serious
21 behavioral health disorders; and

22
23 WHEREAS, over 20,000 people who have, often severe, mental illness are
24 treated by Milwaukee County's mental health system each year; and

25
26 WHEREAS, the current BHD Facility was constructed in the 1970s, and almost
27 immediately upon completion of construction for Milwaukee County's current mental
28 health hospital on the County Grounds, the preferred model for delivery of care
29 drastically changed to a community-based treatment model less reliant on institutional
30 care; and

31
32 WHEREAS, the 2010 Capital Budget included a \$12,596,494 appropriation, for
33 Capital Improvement Project WE033—Behavioral Health Facility, placed in the allocated
34 contingency fund, for the planning, design, and construction of a new behavioral health
35 facility and/or the renovation of the current facility; and

36
37 WHEREAS, on July 29, 2010, the County Board of Supervisors ("County Board")
38 approved (File No. 10-284) the release of \$1,825,890 from the 2010 BHD allocated
39 contingency fund within capital funds (WE033) to address corrective actions related to a
40 Statement of Deficiency at the current facility, leaving a balance of \$10,770,604 in the
41 account; and

42
43 WHEREAS, the County Board adopted a resolution (File No. 10-322) in
44 November, 2010, endorsing the concept of constructing a new behavioral health facility
45 on the County Grounds and forming a Special Committee of Milwaukee County
46 Supervisors, appointed by the Chairman of the Board, to obtain the information needed

47 to assess the feasibility of constructing a new mental health facility on the County
48 Grounds and to make recommendations on what a possible new facility might look like,
49 including the financial, staffing, and programmatic components necessary to develop a
50 facility; and

51
52 WHEREAS, the resolution called for the Special Committee to submit their final
53 report no later than June 1, 2011; and

54
55 WHEREAS, a memorandum from the Milwaukee County Board Chairman, dated
56 December 16, 2010, appointed the following supervisors to the aforementioned special
57 committee:

- 58
59
- 60 ▪ Supervisor Joe Sanfelippo, Chairman
 - 61 ▪ Supervisor Lynne De Bruin
 - 62 ▪ Supervisor James "Luigi" Schmitt
 - 63 ▪ Supervisor Marina Dimitrijevic
 - 64 ▪ Supervisor Peggy West

65 ; and

66
67 WHEREAS, the Special Committee, named the New Behavioral Health Facility
68 Study Committee ("Facility Committee"), met to discuss the charges laid out in the
69 resolution (File No. 10-322) on a bimonthly basis beginning in January 2011; and

70
71 WHEREAS, the committee considered the following items during the
72 aforementioned meetings:

- 73
74
- 75 ▪ Programs and services currently provided by BHD, both outpatient and
76 inpatient, and BHD's operational costs
 - 77 ▪ Chairman Holloway's Mental Health Initiative (File No. 11-81/11-49), which
78 was adopted by the County Board on March 17, 2011
 - 79 ▪ Space usage and schematics at the current facility
 - 80 ▪ Presentations from current contracted community service providers
81 regarding the services they provide as well as their capacity to expand
 - 82 ▪ Review of crisis operations, including the Crisis Resource Center Model
83 and emergency detentions
 - 84 ▪ The Human Services Research Institute report (HSRI), *Transforming the*
85 *Adult Mental Health Care Delivery System in Milwaukee County*
 - 86 ▪ A proposal from a consortium of providers proposing a public/private
87 partnership for a cost-effective redesign of the mental health system
 - 88 ▪ A report from the Mixed Gender Unit Workgroup looking into the possible
89 creation of single gender patient care units at BHD
 - 90 ▪ The Department of Audit Site Security Audit
 - 91 ▪ Possible land spaces available on the County Grounds for a new
behavioral health facility

- 92 ▪ Fiscal and square footage estimates for replacing the existing mental
93 health complex
94 ▪ Bonding issues entailed with building a new facility
95 ▪ Estimated level of community supports/private sector beds needed to
96 downsize the current inpatient facility
97 ▪ An appraisal of the current BHD Facility land
98

99 WHEREAS, at the March 15, 2011, Facility Committee meeting, the committee
100 approved a motion to adopt the HSRI Study as the committee's framework for an overall
101 health care plan model; and
102

103 WHEREAS, at the May 10, 2011, Facility Committee meeting, the committee
104 adopted a motion directing the Real Estate Services Manager to perform an updated
105 appraisal of the BHD Facility land; and
106

107 WHEREAS, at the May 24, 2011, Facility Committee meeting, the committee
108 approved a resolution by Supervisor Thomas in support of efforts to redesign and
109 transform the Milwaukee County mental health delivery and financing system and
110 directing the Facility Committee to submit an action-oriented plan to implement the
111 HSRI Study findings and other recommendations, which the full Board later adopted
112 (File No. 11-197/11-323); and
113

114 WHEREAS, the aforementioned resolution (File No. 11-197/11-323) extended
115 the Facility Committee's report deadline to July 15, 2011, requested that the Committee
116 provide an outline of items to be included in a Request for Proposal (RFP) process for
117 the provision of behavioral health services and possible sites, and specified that the
118 Facility Committee's recommendations shall be submitted to the Committees on Health
119 and Human Needs and Finance and Audit for review and approval prior to consideration
120 by the full Board of Supervisors; and
121

122 WHEREAS, the New Behavioral Health Facility Study Committee, at its meeting
123 on September 9, 2011, recommended approval of an amended resolution (vote 5-0);
124 now, therefore,
125

126 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
127 adopts the policy recommendations included in the *New Behavioral Health Facility*
128 *Study Committee's Final Report*, attached to this file; and
129

130 BE IT FURTHER RESOLVED, that the County Board adopts the following as
131 County policy:
132

- 133 ▪ The current BHD facility is too large and reflects an inpatient focused
134 model of care that is financially unsustainable in both the short and long
135 term; if Milwaukee County continues to utilize an inpatient centered
136 approach to delivering mental health services, our ability to maintain

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current service levels will be eroded by rising health care costs and client outcomes will deteriorate even further

- Milwaukee County needs to reallocate how it spends its mental health dollars by transferring the majority of our system dollars into community-based services; these services can be provided by the private sector or a mix of private and publicly run options; the current inpatient focused system uses almost two-thirds of Milwaukee County's available system funds, leaving approximately one-third of the county's funds for community services; successful community-based care systems are most cost-effective and achieve better client outcomes than inpatient focused systems; in these systems, more than half to two-thirds of system funds are spent in the community; achieving this resource shift is more crucial to the future of mental health care in our community than the decision of whether Milwaukee County should build a new mental health facility on the County Grounds
- As part of a community based system, Milwaukee County will need to operate a smaller inpatient facility, with a maximum of 120 beds, in order to meet the need for inpatient treatment; capacity and interest in providing sufficient inpatient services does not exist in the private sector at this time thereby requiring the county's continued provision of inpatient care in order to meet the needs of clients with mental illness in our community and to provide sufficient safety net oversight for this critical area of care
- Milwaukee County, which shall still be viewed as the payer of last resort, must commit to maintaining funding for mental health services as they are transitioned from being county-provided to community-provided
- No drawdown in county-provided services shall take place unless and until it is proven that capacity in the community exists to replace such services
- A clear public/private partnership between BHD and the community providers must be in place
- Stakeholders must be included in the mental health redesign process
- An internal finance team or "Workgroup" consisting of staff from BHD, Department of Administrative Services, County Board, and Department of Audit shall be convened, by the County Board Chairman and County Executive to assist in finance planning related to the redesign of the mental health system and the financing of a new BHD facility
- A further delay of system improvements cannot be tolerated

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- The county must commit to continued funding of mental health care services at current levels with any savings produced as a result of the transition to a community-based service delivery model reinvested into the program to allow for expanded community services

- For budgeting purposes, the Facility Committee utilized a hypothetical model prepared by DHHS staff of constructing a 120 bed maximum facility on the county grounds; the committee recognizes that the ultimate size of the new facility may differ from this model and recommends that the following considerations be taken into account when making a final decision on the size a new facility:
 - The new facility should be based on the 120 bed maximum hypothetical model with the final size to be determined by the County Board upon review of the recommendations from the Redesign Task Force and the internal Finance Workgroup

 - Because the new facility will have a major reduction in available inpatient beds, the county should not commit to building a new facility until it has already committed funding for the community expansion services needed to safely transition clients

 - Any new facility shall be built utilizing “green design standards” to the maximum extent possible

 - Proposals from providers to contractually provide behavioral health services, including inpatient beds in a privately run facility, shall be given serious consideration

 - The land located at 92nd and Wisconsin Avenue is the best location for a new BHD facility

 - If the county decides to move forward with constructing a new facility at the 92nd and Wisconsin site, negotiations with Children’s Hospital must occur in order to obtain a release of the land

; and

BE IT FURTHER RESOLVED, the Interim Director, Department of Health and Human Services and the Administrator, Behavioral Health Division are authorized and directed to begin to effectuate the contents of this report by performing the following tasks:

1. Submit the Facility Committee’s Final Report to the Mental Health Redesign and Implementation Task Force for consideration in system redesign implementation planning, per adopted resolution (File No. 11-173/11-284)

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2. Ensure that the Mental Health Redesign and Implementation Task Force reviews all of the recommendations from the various reports presented over the past year to determine the best care practices available and then build a delivery of care model based on those practices in accordance with the aforementioned adopted resolution (File No. 11-173/11-284)
3. Return to the Milwaukee County Board of Supervisors, through the Committee on Health and Human Needs, with final recommendations during the January 2012, meeting cycle

; and

BE IT FURTHER RESOLVED, that the Interim Director, Department of Health and Human Services (DHHS), is authorized and directed to issue Request(s) for Proposals (RFP), renegotiate existing contracts, and/or realign county provided inpatient care as needed to make immediate improvements, including the reconfiguration of acute adult inpatient units, to create a 12-bed Intensive Treatment Unit (ITU), a combined Women's Option/Med-Psych Treatment Unit, and two remaining mixed gender units designated as General Acute Treatment Units, and the creation of a "children's suite" in the Psychiatric Crisis Service/Admission Center (PCS) with a separate outside entrance, consistent with adopted resolutions and county planning efforts, with submission of contracts to the Health and Human Needs and Finance and Audit Committees by the December 2011 cycle of the County Board at the latest; and

BE IT FURTHER RESOLVED, that the Interim Director, DHHS, is authorized and directed to issue a Request for Information (RFI) based on the goals contained within adopted resolution (File No. 11-197/11-323) and other County planning efforts to determine what capacity presently exists in the community and how it can be successfully incorporated into a new delivery model, and shall provide the information obtained through this process to the Mental Health Redesign and Implementation Task Force for the development of follow-up RFPs, contract revisions, and other system changes as recommended by the Mental Health Redesign and Implementation Task Force and approved by the County Board; and

BE IT FURTHER RESOLVED, that the Interim Director, DHHS, is authorized and directed to issue RFPs on behalf of the Mental Health Redesign and Implementation Task Force's work for the development of a community-based delivery model, and provide an update to the Health and Human Needs and Finance and Audit Committees by the January 2012 County Board committee meeting cycle regarding the outcomes of the RFP process, including consideration of any resulting contract changes as soon as possible; and

BE IT FURTHER RESOLVED, that the Interim Director, DHHS, is authorized and directed to report back to the Health and Human Needs and Finance and Audit Committees in the January 2012 County Board committee meeting cycle with

274 recommendations related to the option of Milwaukee County constructing and operating
275 an inpatient facility on the County Grounds (several potential funding sources for a new
276 facility are listed in the Facility Committee's report) and how these options would tie into
277 the broader system redesign of mental health services; this report shall include
278 recommendations as to the preferred level of continued inpatient care to be provided at
279 a new facility, inpatient care services that are recommended for community-based
280 inpatient or alternative community-based care, recommendations regarding the future
281 use of the current BHD facility, and potential options for financing the recommended
282 services; and

283

284 BE IT FURTHER RESOLVED, that the report(s) mentioned on lines 261 through
285 276 shall also explore and report on appropriate alternatives to Milwaukee County
286 owning a mental health facility, including, but not limited to options of leasing, engaging
287 a private developer to build a new hospital for Milwaukee County in exchange for long-
288 term guaranteed lease payments (build-lease), or private/public partnerships developed
289 through a Health Care Authority model, which would shift Milwaukee County's role from
290 being mainly a direct provider of care to a placement agency, allowing for the flexibility
291 of obtaining reimbursements for care given at fully integrated hospitals instead of a
292 stand-alone mental health facility in which federal rules prohibit Medicaid
293 reimbursements for patient care received in such facility; such report shall further
294 explore the option of leveraging property owned at the County Grounds for
295 private/public partnerships to realize the goal of providing the best care for mental
296 health patients while also maximizing reimbursements for the county; and

297

298 BE IT FURTHER RESOLVED, that the Architectural, Engineering and
299 Environmental Services Division is authorized and directed to issue an RFP for
300 architectural design services for the new facility, the results of which shall be included in
301 a report submitted to the Committees on Health and Human Needs and Finance and
302 Audit in the March 2012 County Board committee cycle, and that a portion of the 2010
303 budgeted funds remaining in the allocated contingency fund within capital funds
304 (WE033) shall be used to pay for these services.

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MILWAUKEE COUNTY BEHAVIORAL HEALTH COMPLEX



Building 1

Level 1

Main Entrance
Mail Room
Main Street
Blue Dove Gift Shop
Lily Café
Patient Trust
Column Rehab
Chapel

Building 2

Level 1

Elevators
Restrooms

Level 2

Elevators
Restrooms

Level 3

Elevators
Restrooms

Level 4

Elevators
Restrooms

Building 3

Level 1

Administrative Entrance
Central Administration
Human Resources
Day Treatment
Consumer Affairs
Fiscal
Courtrooms
Medical Records

Level 2

PCS
Access Clinic
Observation Unit (32C)
Crisis Staff (32A)

Building 4

Level 2

Pharmacy
Maintenance
Clinic

Level 3

Nursing Admin.
Intensive Acute Treatment Unit (43A)
Acute Unit (43B)
Women's Treatment Unit (43C)
Acute Unit (43D)
Hilltop Unit (43E)
Hilltop Unit (43F)

Level 4

Long-Term Care Admin.
Rehab Central Unit (44A)
Rehab Central Unit (44B)
Rehab Central Unit (44C)
Task Skills Treatment (44D)
Hilltop Unit (44E)
Dietary Admin.
Education Services

Building 5

Level 2

Environment and Engineering Services
Dietary tray line

Level 3

Children/Adolescent Intensive Services (53A)
CAIS Classrooms (53B)

9201 Building (formerly Day Hospital)

Level 1

St. Charles (Tenant)
MUTT
SAIL
Housing
Wraparound

Level 2

My Home, Your Home (Tenant)
Willowglen (Tenant)

1 Supervisor Peggy Romo West, Chairperson
2 From the Committee on Health and Human Needs, reporting on:

3
4 File No. 12-208
5

6 (ITEM 34) From the Director, Department on Aging, requesting authorization to
7 increase awards for three contracts with Goodwill Industries of Southeastern Wisconsin,
8 Inc., and one contract with Transit Express, Inc., for services provided in 2011 under
9 contracts originally authorized by the County Board under File No. 11-34(a)(a), by
10 recommending adoption of the following:

11
12 **A RESOLUTION**
13

14 WHEREAS, on December 16, 2010, the Milwaukee County Board of Supervisors
15 authorized the Director, Department on Aging, to execute contracts to provide programs
16 and services for the period January 1, through December 31, 2011 [File No. 11-34(a)(a)];
17 and
18

19 WHEREAS, the Department on Aging (the Department) awards funds to provider
20 agencies based on the availability of federal, state, and local funds; previous usage by older
21 persons of the programs and services provided; anticipated changes in service demand; and
22 allowable costs; and
23

24 WHEREAS, the actual amount of services that occur under a specific contract is a
25 function of changes in the number of participants, evolving client needs, weather, and
26 other factors that cannot be precisely known at the time contracts are awarded; and
27

28 WHEREAS, when additional funds become available, the Department seeks to use
29 those funds to fully reimburse vendors for the services provided to eligible older persons
30 and for one-time only expenditures designed to enhance the quality of programs and
31 services provided; and
32

33 WHEREAS, the actual cost to provide contractual services in 2011 under four (4)
34 program and service contracts exceed the amounts originally awarded; and
35

36 WHEREAS, the Department has identified sufficient funds to increase awards to the
37 four 2011 contracts; and
38

39 WHEREAS, the Department recommends increasing awards for the following
40 contractual services based on actual costs and to amend the awards as follows:

- 41
42 1. Increase by \$14,296, from \$1,382,945 to \$1,397,241, the contract with Transit
43 Express, Inc., to provide Specialized Elderly Transportation Services.
44

- 45 2. Increase by \$40,294, from \$829,000 to \$869,294, the contract with Goodwill
46 Industries of Southeastern Wisconsin, Inc., to provide Case Management and
47 Delivery Services for Home Delivered Meals.
48
- 49 3. Increase by \$16,169, from \$87,300 to \$103,469, the contract with Goodwill
50 Industries of Southeastern Wisconsin, Inc., to provide Shopping and Errand
51 Services.
52
- 53 4. Increase by \$7,626, from \$240,000 to \$247,626, the contract with Goodwill
54 Industries of Southeastern Wisconsin, Inc., to provide Nutrition Site Supervision
55 (Multiple Sites).

56 ; now, therefore,
57

58 BE IT RESOLVED, that the Director, Department on Aging, is hereby authorized to
59 increase awards in the 2011 program and service contracts listed above and in the award
60 amounts recommended.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 23, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request for authorization to increase awards for three contracts with Goodwill Industries of Southeastern Wisconsin, Inc., and one contract with Transit Express, Inc., for services provided in 2011 contracts first authorized by the County Board under File No. 11-34 (a)(a)

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	
	Revenue	0	
	Net Cost	0	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The attached resolution authorizes the Director, Department on Aging, to amend File No. 11-34 (a) (a) and adjust 2011 awards as follows: (1) \$14,296 to Transit Express, Inc., increasing the award to provide Specialized Elderly Transportation Services from \$1,382,945 to \$1,397,241; (2) \$40,294 to Goodwill Industries of Southeastern Wisconsin, Inc., increasing the award to provide Case Management and Delivery Services for Home Delivered Meals from \$829,000 to \$869,294; (3) \$16,169 to Goodwill Industries, increasing the award to provide Shopping and Errand Services from \$87,300 to \$103,469; and (4) \$7,626 to Goodwill Industries, increasing the award to provide Nutrition Site Supervision (Multiple Sites) from \$240,000 to \$247,626.

The Department awards funds to provider agencies based on the availability of federal, state, or local funds, allowable costs, and other factors. When additional funds become available, the Department seeks to use those funds to fully reimburse vendors for the services they provide. The proposed increases cover costs incurred by vendors during the administration and provision of services in 2011.

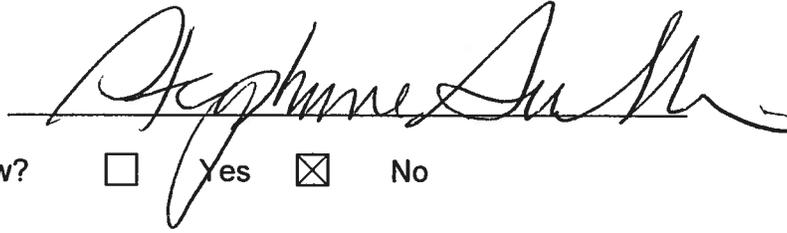
Sufficient Older Americans Act funds exist within the 2011 State/County contract between Milwaukee County and Wisconsin Department of Health Services to fund the award increases.

The proposed resolution has no direct fiscal impact on Milwaukee County other than the allocation of staff time required to prepare the accompanying report and resolution.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Department on Aging / Gary W. Portenier, Program Planning
Coordinator

Authorized Signature

A handwritten signature in black ink, appearing to read "Gary W. Portenier", is written over a horizontal line.

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 35) From the Director, Department of Health and Human Services, requesting authorization to extend and increase 2012 Purchase of Service Contracts with Birth-to-Three providers for the provision of Birth-to-Three/Early Intervention Services in the Disabilities Services Division, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Section 46.09 of the Milwaukee County Code of General Ordinances requires County Board approval for the purchase of human services from non-governmental vendors; and

WHEREAS, the Disabilities Services Division (DSD) of the Department of Health and Human Services (DHHS) administers Birth-to-Three Program/Early Intervention services in Milwaukee County to infants and toddlers with developmental delays or disabilities; and

WHEREAS, in December 2011, the County Board authorized three-month contracts to nine community agencies for 2012 pending development of a new allocation methodology; and

WHEREAS, insufficient funds and increased demands for Birth-to-Three services as well as new state requirements have created considerable challenges to the Birth-to-Three Program; and

WHEREAS, after years of flat funding, state funding for Birth-to-Three programming decreased from 2008 to 2011, and allocations to the agencies decreased by almost five percent between 2009 and 2010; and

WHEREAS, DSD has not changed the allocation distribution to each Birth-to-Three agency for several years and therefore, has not recognized or rewarded differences in performance and in unit rates among the agencies; and

WHEREAS, in early 2012, DSD conducted a thorough review of the agencies' referral patterns, units of service, performance outcomes, and services and has developed a new allocation formula based on these measurements; and

WHEREAS, the contract extensions being recommended by DSD represent a formidable first step toward performance-based contracting and an effort to maximize available funding; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes the Director, Department of Health and Human Services, or his/her designee, to execute amendments to 2012 Purchase of Service Contracts to be extended nine months

45 from April 1, 2012, through December 31, 2012, with the following Birth-to-Three
 46 providers in the following amounts:
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Agency	3-Month (Jan. 1- March 31, 2012) Contract	9-Month (April 1- Dec. 31, 2012) Contract	New Total 2012 Contract Amount
Vision Forward	\$20,180	\$62,539	\$82,719
Center for Communication, Hearing & Deafness	\$19,897	\$61,691	\$81,588
Curative Care Network	\$332,462	\$897,384	\$1,229,846
Easter Seals Kindcare	\$143,850	\$401,551	\$545,401
Milwaukee Center for Independence	\$84,743	\$304,227	\$388,970
Penfield Children's Center	\$281,399	\$894,198	\$1,175,597
St. Francis Children's Center	\$107,542	\$351,627	\$459,169
Lutheran Social Services	\$57,883	\$188,647	\$246,530
Next Door Foundation	\$35,695	\$122,084	\$157,779
Total	\$1,083,651	\$3,283,948	\$4,367,599

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/9/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Report from the Director, Department of Health and Human Services, requesting authorization to extend and increase 2012 purchase of service contracts with Birth-to-Three providers for the provision of Birth-to-Three/Early Intervention services in the Disabilities Services Division

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|---|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The Director of the Department of Health and Human Services (DHHS) requests authorization to extend and increase existing Purchase of Service Agreements with a variety of community vendors for the provision of services in the Birth-to-Three program located within the DHHS-Disabilities Services Division (DSD).

B. Initial 2012 contracts for the Birth-to-Three program were executed for the period January 1, 2012 through March 31, 2012 in the total amount of \$1,083,651. This request extends the existing contracts for the period April 1, 2012 through December 31, 2012. Approval of this request will result in an additional expenditure of \$3,283,948 for calendar year 2012 for a total allocation of \$4,367,599.

C. The revenue necessary to fund this request has been included in DSD's 2012 Adopted Budget for purchase of service contracts. As a result, there is no additional fiscal impact arising from approval of this request.

D. No assumptions are made.

Department/Prepared By Clare O'Brien, DAS

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Birth-to-Three Agency Allocation Factor Comparison

Agency	2011 Contract	2010		Volume Data 2011			Agency comparisons to total Allocation/ Volume			Performance Outcomes Federal Indicators, Including Parent Survey. See Attachments 2, 3 & 4	Other factors reviewed				Agency score on 2012 RFP	
		Number of referrals in 2010, taken through 12/31/10*	Total number of children served in 2010	Number of referrals in 2011, taken through 12/31/11*	Number of children enrolled into B3 service in 2011 (& % of referrals enrolled)	Total number of children served as of 12/31/11**	2011 Average "cost" per child served (based on total contract allocation & number of children served)	Percent of total 2011 funding agency received	Percent of total referrals taken in 2011		Percent of total children served as of 12/31/11	File Review Results		TCM Revenue		
												Number of files reviewed in 2011 in compliance	Percent of 2011 files reviewed found in compliance	2011 TCM Revenue as of 12/31/11 from TCM billing data through DHHS accounting		Percent of total TCM revenue
Vision Forward	\$80,719	37	57	31	20 (65%)	53	\$1,523	1.86%	0.98%	1.91%	8	50	\$11,069.24	1.82%	84.75	
CCHD	\$79,588	39	75	28	24 (86%)	75	\$1,081	1.84%	0.81%	2.71%	7	57	\$8,333.03	1.04%	79.33	
Curative	\$1,329,846	970	927	857	486 (57%)	936	\$1,421	30.68%	24.83%	33.79%	54	55	\$86,341.59	14.20%	64.23	
Easter Seals	\$575,401	239	256	294	150 (51%)	269	\$2,139	13.27%	8.52%	9.71%	15	46	\$77,796.86	12.79%	63.57	
MCFI	\$338,970	238	190	176	94 (53%)	204	\$1,862	7.82%	5.10%	7.36%	12	83	\$134,207.48	22.07%	87.70	
Penfield	\$1,125,597	660	746	595	351 (59%)	731	\$1,540	25.97%	17.24%	26.39%	43	84	\$204,814.28	33.68%	73.72	
St. Francis	\$430,189	297	326	245	160 (65%)	325	\$1,324	9.92%	7.10%	11.73%	19	63	\$35,582.31	5.85%	70.88	
LSS	\$231,530	537	94	606	39 ***	82	***	5.34%	17.56%	2.96%	8	25	\$16,026.77	2.64%	88.38	
Next Door	\$142,779	482	99	619	46 ***	95	***	3.29%	17.94%	3.43%	9	66	\$35,971.71	5.92%	75.39	
Total	\$4,334,599	3,499	2,770	3,451	1,370	2,770							\$608,143.27	100%		

* Includes all initial referrals for screens, evaluations, including re-evaluations as requested by referral sources. Data are from DHS MasterBlaster files and reflects agency workload. It is not an unduplicated count of children.

** Though it could be useful in allocation determinations, information about the average number of, and frequency of, services each child received is not currently available.

*** The percent of referrals enrolled and average "cost" per child for these agencies are not comparable because they provide therapy services to fewer children since their major role is providing screenings and service coordination.

Ranking of RFP Score	
MCFI	87.70
VF	84.75
CCHD	79.33
Next Door	75.39
Penfield	73.72
St Francis	70.88
LSS	68.38
Curative	64.23
Easter Seals	63.57

Federal Indicator Scores for Birth-to-Three Agencies

Agency	Federal Indicator 1 (related to timely service): State Expectation Score 100%		Federal Indicator 2 (related to service provided in natural environments *) Score is percent of children served in the home or community setting as agency-reported: State Expectation Score 95-100%		Federal Indicator 3 (related to improved child outcomes): See Attachment 3	Federal Indicator 4 (parent survey outcomes) See Attachment 4	Federal Indicator 7 (related to timely completion of IFSP): State Expectation Score 100%		Indicator 8A (timely transition planning related to IFSPs) July -Dec 2011: State Expectation Score 100%		Indicator 8B (timely transition planning related to notification to LEA); State Expectation Score 100%		Indicator 8C (timely transition planning related to the transition planning conference): State Expectation Score 100%	
	Average Year End Percent Score CY 2010	Average Year End Percent Score CY 2011	Percent Score as of Oct 1, 2010	Percent Score as of Oct 1 2011			Agency Average Year End Percent Score CY 2010	Average Year End Percent Score CY 2011	Average Year End Percent Score CY 2010	Average Year End Percent Score CY 2011	Agency Average Year End Percent Score CY 2010	Agency Average Year End Percent Score CY 2011	Agency Average Year End Percent Score CY 2010	Agency Average Year End Percent Score CY 2011
Vision Forward	85.96	100	60.61	55.56			100	100	100	100	50	100	60	100
CCHD	100	100	81.25	71.11			96	83.33	100	95	100	100	81.25	100
Curative	95.36	98.52	67.24	56.46			88.45	89.71	99	100	95.51	100	72.92	81.51
Easter Seals	99.61	100	90.16	80.15			100	100	100	100	94.59	100	100	98.63
MCFI	99.47	100	100	93.64			100	97.87	100	100	78.95	96.97	75	96.43
Penfield	99.2	99.86	91.25	81.12			96.53	99.15	98	97	94.47	100	91.43	93.42
St. Francis	92.02	99.69	100	89.33			100	99.38	100	100	95.6	100	100	98.94
LSS	95.74	100	52	69.77			93.02	97.44	95	91	84.21	100	100	90.91
Next Door	95.96	100	100	95.92			100	100	100	100	72.22	100	93.33	100
	Agency rank 2011		Agency rank 2011				Agency rank 2011		Agency rank 2011		Agency rank 2011		Agency rank 2011	
	VF	100	Next Door	95.92			VF	100	VF	100	VF	100	VF	100
	CCHD	100	MCFI	93.64			Easter Seals	100	Curative	100	CCHD	100	CCHD	100
	Easter Seals	100	St Francis	89.33			Next Door	100	Easter Seals	100	Curative	100	Next Door	100
	MCFI	100	Penfield	81.12			St Francis	99.38	MCFI	100	Easter Seals	100	St Francis	98.94
	LSS	100	Easter Seals	80.15			Penfield	99.15	St Francis	100	Penfield	100	Easter Seals	98.63
	Next Door	100	CCHD	71.11			MCFI	97.87	Next Door	100	St Francis	100	MCFI	96.43
	St Francis	99.69	LSS	69.77			LSS	97.44	Penfield	97	LSS	100	Penfield	93.42
	Penfield	99.86	VF	55.56			Curative	89.71	CCHD	95	Next Door	100	LSS	90.91
	Curative	98.52	Curative	56.46			CCHD	83.33	LSS	91	MCFI	96.97	Curative	81.51

* The data represent the location entered by the agency of the last service provided to the child.

Federal Indicator 3: 2010 Outcomes related to Improved Child Outcomes

This information is self-reported. Each agency works with the family to determine family outcomes & assess success when the child exits the program.

Compliance Factor measured: 1. Of those children who entered the program below age expectations in [outcome], the percent that substantially increased their rate of growth in [outcome], by the time they exited.

	Outcome 1	Outcome 2	Outcome 3	Agency Ranking					
	Percent who demonstrate improved positive social-emotional skills. State expectation Score 72.7%	Percent who demonstrate improved acquisition and use of knowledge & skills. State expectation Score 78.2%	Percent who demonstrate improved use of appropriate behaviors to meet their needs. State expectation Score 76.7%	Outcome 1		Outcome 2		Outcome 3	
Vision Forward	66.7	66.7	71.4	Next Door	100.0	Next Door	90.0	Next Door	100.0
CCHD	25.0	36.4	40.0	LSS	80.0	LSS	87.5	Penfield	82.6
Curative	71.2	78.5	80.3	Penfield	77.2	Penfield	82.2	Curative	80.3
Easter Seals	66.7	63.8	63.2	Curative	71.2	Curative	78.5	MCFI	78.4
MCFI	70.4	72.7	78.4	MCFI	70.4	St Francis	77.9	LSS	74.1
Penfield	77.2	82.2	82.6	Vision Forward	66.7	MCFI	72.7	St Francis	73.7
St. Francis	66.1	77.9	73.7	Easter Seals	66.7	Vision Forward	66.7	Vision Forward	71.4
LSS	80.0	87.5	74.1	St Francis	66.1	Easter Seals	63.8	Easter Seals	63.2
Next Door	100.0	90.0	100.0	CCHD	25.0	CCHD	36.4	CCHD	40.0

Compliance Factor measured: 2. Percent of children who were functioning within age expectations in [outcome], by the time they exited.

	Outcome 1	Outcome 2	Outcome 3	Agency Ranking					
	Percent who demonstrate improved positive social-emotional skills. State expectation Score 74%	Percent who demonstrate improved acquisition and use of knowledge & skills. State expectation Score 58.9%	Percent who demonstrate improved use of appropriate behaviors to meet their needs. State expectation Score 76.4%	Outcome 1		Outcome 2		Outcome 3	
Vision Forward	42.9	28.6	28.6	Next Door	93.9	Next Door	90.9	Next Door	90.9
CCHD	60.0	33.3	73.3	Curative	76.3	LSS	81.1	St Francis	79.8
Curative	76.3	56.1	78.8	St Francis	74.6	MCFI	74.0	Curative	78.8
Easter Seals	70.3	51.3	72.0	MCFI	74.0	St Francis	57.9	MCFI	76.0
MCFI	74.0	74.0	76.0	Easter Seals	70.3	Curative	56.1	Penfield	75.8
Penfield	68.7	42.3	75.8	LSS	70.3	Easter Seals	51.3	CCHD	73.3
St. Francis	74.6	57.9	79.8	Penfield	68.7	Penfield	42.3	Easter Seals	72.0
LSS	70.3	81.1	64.9	CCHD	60.0	CCHD	33.3	LSS	64.9
Next Door	93.9	90.9	90.9	Vision Forward	42.9	Vision Forward	28.6	Vision Forward	28.6

Federal Indicator 4: 2010 Parent Survey Outcome Data for Birth-to-Three Agencies

Compliance Data	Vision Forward	CCHD	Curative	Easter Seals	MCFI	Penfield	St Francis	LSS	Next Door
Parents know their rights	69.23%	81.25%	83.69%	77.19%	91.67%	88.80%	75.81%	84.62%	93.33%
Parents can communicate child's needs	92.31%	81.25%	82.83%	100.00%	93.75%	91.60%	79.03%	76.92%	90.00%
Parents are able to help their child learn & develop	100.00%	93.75%	78.54%	84.21%	95.83%	90.40%	77.42%	84.62%	90.00%
Average	87.18%	85.42%	81.69%	87.13%	93.75%	90.27%	77.42%	82.05%	91.11%

Agency ranking	Average percent score
MCFI	93.75%
Next Door	91.11%
Penfield	90.27%
Vision Forward	87.18%
Easter Seals	87.13%
CCHD	85.42%
LSS	82.05%
Curative	81.69%
St Francis	77.42%

Note: DSD mails the surveys to parents and parents mail completed surveys to the State DHS for processing.

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(ITEM 36) From the Director, Department of Health and Human Services, requesting authorization to amend various 2012 Purchase of Service Contracts for programs within the Delinquency and Court Services Division, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Section 46.09 of the Milwaukee County Code of General Ordinances requires County Board approval for the purchase of human services from non-governmental vendors; and

WHEREAS, per Section 46.09, the Director of the Department of Health and Human Services (DHHS) has requested authorization to amend various 2012 Purchase of Service Contracts with community agencies for the Delinquency and Court Services Division (DCSD); and

WHEREAS, in December 2011, the County Board approved DHHS' recommendation to enter into several six-month contracts with community agencies due to the uncertainty of the extent of further cuts by the State to Youth Aids, with initial estimates projecting a 2012 tax levy deficit ranging between \$1 million and \$2.7 million; and

WHEREAS, at that time, DHHS indicated that authorization to extend some of the six-month contracts to a full year would be requested in Spring 2012, once the actual fiscal impact of the state reduction became clear; and

WHEREAS, DHHS has since received the 2012 contract from the State Department of Corrections (DOC), and the actual variance to DCSD's 2012 Adopted Budget results in a budgeted revenue shortfall of \$789,447; and

WHEREAS, DHHS believes that this reduction by the State can be absorbed within the DHHS Budget in 2012, based on revised DOC projections showing a 2012 surplus exceeding \$600,000, as well as from savings due to changes to certain purchase of service contracts and other emerging initiatives; and

WHEREAS, the recommended extension of these contracts will ensure an integrated delivery system for delinquent youth of both provided and purchased services in the community; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby authorize and direct the Director of the Department of Health and Human Services, or his/her designee, to enter into 2012 Delinquency and Court Services Division (DCSD) Purchase of Service Contracts, effective January 1, 2012, to December 31, 2012, with the agencies and in the amounts listed below:

<u>PROVIDER</u>	<u>SERVICE/ PROGRAM</u>	<u>AMOUNT</u>
St. Charles Youth and Family Services	Re-entry Coordination	\$ 90,000
Southwest Key Program	Level II In-Home Monitoring	\$ 664,690
St. Charles Youth and Family	Level II In-Home Monitoring	\$ 480,746
Running Rebels	Targeted Monitoring	\$1,525,944
Lad Lake	Day Treatment (Alternative School)	\$ 244,534
St. Charles Youth and Family Services	Day Treatment (Alternative School)	\$ 489,066
Wisconsin Community Services	Day Treatment (Alternative School)	\$ 489,066
TOTAL 2012 Purchase of Service Contracts for DCSD included in this request:		\$ 3,984,046

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/7/12

- Original Fiscal Note
- Substitute Fiscal Note

SUBJECT: Report from the Director, Department of Health and Human Services, requesting authorization to amend various 2012 Purchase of Service Contracts for programs within the Delinquency and Court Services Division.

FISCAL EFFECT:

- No Direct County Fiscal Impact
 - Existing Staff Time Required
- Increase Operating Expenditures (If checked, check one of two boxes below)
 - Absorbed Within Agency's Budget
 - Not Absorbed Within Agency's Budget
- Decrease Operating Expenditures
- Increase Operating Revenues
- Decrease Operating Revenues
- Increase Capital Expenditures
- Decrease Capital Expenditures
- Increase Capital Revenues
- Decrease Capital Revenues
- Use of contingent funds

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The Director of the Department of Health and Human Services (DHHS) is requesting authorization to amend various 2012 Delinquency and Court Services Division (DCSD) Purchase of Service contracts that have a 2012 term that ends on June 30th.

In December 2011, the County Board approved the Department's recommendation to enter into six-month contracts due to the uncertainty of the extent of further cuts by the State to Youth Aids, with initial estimates projecting a 2012 tax levy deficit ranging between \$1 million and \$2.7 million. At that time, the Department indicated that authorization to extend some of the six-month contracts would be requested in Spring 2012, once the actual fiscal impact of the State reduction became clear. DHHS has since received the 2012 Contract from the State Department of Corrections (DOC), and the actual variance to DCSD's 2012 Adopted Budget results in a budgeted revenue shortfall of \$789,447.

DHHS believes that this reduction by the State can be absorbed within the DHHS budget in 2012, based on revised DOC projections showing a 2012 surplus exceeding \$600,000, as well as from savings due to changes to certain purchase of service contracts and other emerging initiatives. Accordingly, the Department is now requesting permission to extend the terms and increase the amounts of these contracts to reflect the provision of services through December 31, 2012.

Approval of this request will allow the Director of DHHS to extend purchase of service contracts to continue provision of contracted Re-entry Coordination, Level 2 In-Home Monitoring, Targeted Monitoring and Day Treatment services for the period January 1, 2012 through December 31, 2012.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

B.Total 2012 expenditures included in this request are \$3,984,046, representing an increase of \$1,992,023 over the amount approved In December 2011.

C. There is no tax levy impact associated with approval of this request in 2012 as funds sufficient to cover the expenditures associated with these contracts were included as part of DCSD's 2012 Budget, and because DHHS believes that the additional State reduction in Youth Aids can be absorbed within the 2012 DHHS budget.

D. No assumptions are made.

Department/Prepared By Thomas F. Lewandowski, Fiscal & Management Analyst

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 37) From the Director, Department of Health and Human Services, requesting authorization to amend various 2012 Professional Services Contracts for programs within the Delinquency and Court Services Division, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in accordance with Section 56.30 of the Milwaukee County Code of General Ordinances, the Director of the Department of Health and Human Services (DHHS) is requesting approval to amend various 2012 Professional Service Contracts for the Delinquency and Court Services Division (DCSD); and

WHEREAS, in the past several years, DCSD has entered into a series of professional service contracts to support essential staff activities and functions; and

WHEREAS, in accordance with Milwaukee County’s Request for Proposals process, the providers, Medical College of Wisconsin and Alternatives in Psychological Consultation, are being recommended to provide their respective services during 2012; and

WHEREAS, the County Board has identified Jewish Family Services to be the administrator of the Youth Sports Authority Program; and

WHEREAS, in December 2011, the County Board approved the Department’s recommendation to enter into six-month contracts with the above agencies due to the uncertainty of the extent of further cuts by the State to Youth Aids, with initial estimates projecting a 2012 tax levy deficit ranging between \$1 million and \$2.7 million; and

WHEREAS, at that time, the DHHS indicated that authorization to extend some of the six-month contracts would be requested in Spring 2012, once the actual fiscal impact of the State reduction became clear; and

WHEREAS, DHHS has since received the 2012 Contract from the State Department of Corrections (DOC), and the actual variance to DCSD’s 2012 Adopted Budget results in a budgeted revenue shortfall of \$789,447; and

WHEREAS, DHHS believes that this reduction by the State can be absorbed within the DHHS budget in 2012, based on revised DOC projections showing a 2012 surplus exceeding \$600,000, as well as from savings due to changes to certain purchase of service contracts and other emerging initiatives; and

WHEREAS, the recommended contract allocations will allow for the provision of identified priority community-based and detention related services for youth being served by DCSD; now, therefore,

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BE IT RESOLVED, that the Director, Department of Health and Human Services, or his/her designee, is hereby authorized to enter into Professional Service Contracts for the period January 1 through December 31, 2012, with the agencies and in the amounts listed below:

<u>Agency</u>	<u>Service</u>	<u>Additional Amount</u>	<u>Total 2012 Contract Amount</u>
Medical College of Wisconsin	Medical & Nursing	\$71,530	\$143,060
Alternatives in Psychological Consultation	Mental Health	\$79,548	\$159,096
Jewish Family Services	Youth Sports Authority	\$50,000	\$100,000

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/7/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Report from the Director, Department of Health and Human Services, requesting authorization to amend various 2012 Professional Services Contracts for programs and services within the Delinquency and Court Services Division.

FISCAL EFFECT:

- | | |
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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|---|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The Director of the Department of Health and Human Services (DHHS) is requesting authorization to amend various 2012 Delinquency and Court Services Division (DCSD) Professional Service contracts that have a 2012 term that ends on June 30th.

Approval of this request will allow the Director of DHHS to extend the Professional Service contracts for Detention Center Medical and Mental Health Services with the Medical College of Wisconsin and Alternatives in Psychological Consultation for the period January 1, 2012 through December 31, 2012. Approval of this request will also allow the Director of DHHS to extend the Professional Service contract with Jewish Family Services for funding of the Youth Sports Authority Board for the period January 1, 2012 through December 31, 2012.

B. Total 2012 expenditures included in this request are \$402,156, representing an increase of \$201,078 over the amount approved in December 2011.

DHHS received the 2012 Contract from the State Department of Corrections (DOC), and the actual variance to DCSD's 2012 Adopted Budget results in a budgeted revenue shortfall of \$789,447. Based on 2011 final year-end DOC 18-month projections indicating a surplus for 2012 of over \$600,000, approximately \$200,000 of savings from the December DCSD contract changes and other emerging initiatives, DHHS is confident that the reductions at the State level can be absorbed within the DHHS budget in 2012.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

C. There is no tax levy impact associated with approval of this request in 2012 as funds sufficient to cover the expenditures associated with these contracts were included as part of DCSD's 2012 Budget, and because DHHS believes that the additional State reduction in Youth Aids can be absorbed within the 2012 DHHS budget.

D. No assumptions are made.

Department/Prepared By Thomas F. Lewandowski, Fiscal & Management Analyst

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

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(ITEM 38) From the Director, Department of Health and Human Services, requesting authorization to extend the 2012 Purchase of Service Contract with Our Space for the Behavioral Health Division, by recommending adoption of the following:

A RESOLUTION

WHEREAS, per Section 46.09 of the Milwaukee County Code of General Ordinances, the Director of the Department of Health and Human Services (DHHS) is requesting authorization to extend the 2012 Purchase of Service Contract with Our Space for the Behavioral Health Division (BHD); and

WHEREAS, shortly before the December meeting of the Health and Human Needs Committee, it was brought to the attention of BHD administration that there were some issues with the Our Space contract therefore BHD met with Our Space and the individuals who brought the concerns forward, and all parties agreed with a BHD developed plan to conduct an audit of the Peer Support component of the Our Space contract; and

WHEREAS, to ensure that these valuable services were maintained for BHD clients while the concerns were reviewed, BHD recommended, and the Board approved, a four-month contract for Our Space from January 1, 2012, through April 30, 2012, for a total of \$116,054; and

WHEREAS, the Our Space contract is made up of two service areas: Consumer Support and Peer Support; and

WHEREAS, the audit mentioned above does not apply to Consumer Support Services and is only focused on the Peer Support component of this contract, therefore BHD is requesting to extend the Consumer Support portion of the Our Space contract through December 31, 2012; and

WHEREAS, BHD has been working with the Department of Audit and is in the middle of the investigation into the Peer Support component of the Our Space contract; and

WHEREAS, due to the lack of an April County Board cycle in 2012, BHD is now requesting a two-month extension for a total of \$22,533 for Peer Support so that the audit can be completed and BHD can return to the Board with final results and recommendations; and

WHEREAS, the amounts recommended for the Our Space contract have been included in BHD's 2012 Budget; now, therefore,

45 BE IT RESOLVED, that the Director of the Department of Health and Human
 46 Services, or his/her designee, is authorized to extend the 2012 Purchase of Service contract
 47 with Our Space for the time frame and amounts as specified below:

48	49	50	51	52
Agency	Service	Additional Amount	Total 2012 Contract	
52	Our Space	Community Support Services (January 1 – December 31, 2012)	\$ 141,975	\$212,962
54	Our Space	Peer Support (January 1 – June 30, 2012)	\$22,533	\$67,600

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/7/2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Report from the Director, Department of Health and Human Services, Requesting Authorization to Extend the 2012 Purchase of Service Contract with Our Space for the Behavioral Health Division

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A) Section 46.09 of the Milwaukee County Code of General Ordinances requires County Board approval for the purchase of human services from nongovernmental vendors. Per Section 46.09, the Director of the Department of Health and Human Services (DHHS) is requesting authorization to extend the 2012 purchase of service (POS) contract with Our Space for the Behavioral Health Division (BHD). At the December Board meeting, the Our Space proposed purchase of service contract was changed to a four-month time frame pending audit results.

B) DHHS is requesting to extend the 2012 purchase of service contracts with Our Space for Consumer Support services by \$141,975, to a total of \$212,962 for the time period of May 1 – December 31, 2012. DHHS is also requesting that the Our Space contract for Peer Support be increased by \$22,533, to a total of \$67,600 for the time period of May 1 – June 30, 2012. Approval of the recommended contract allocations, as specified in the attached resolution, will allow for BHD to continue to provide needed client services and complete the audit of the Peer Support program.

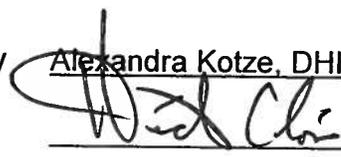
C) Sufficient funds are budgeted in the 2012 BHD Budget.

D. No assumptions/interpretations.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Alexandra Kotze, DHHS Budget Manager

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

1 Supervisor Willie Johnson, Jr., Chairperson,
2 By the Committee on Judiciary, Safety and General Services, reporting on:

3 File No. 12-257

4
5 (ITEM 39) A resolution to **RECEIVE AND PLACE ON FILE** (vote 6-0) an informational
6 report from the Office of the Sheriff dated February 21, 2012, regarding the issue of absentee
7 ballots at County Correctional Facilities.

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County of Milwaukee

Office of the Sheriff

David A. Clarke, Jr.
Sheriff

Date: February 21, 2012

To: Supervisor Willie Johnson, Jr. - 13th District
Chairman, Committee on Judiciary, Safety and General Services
Milwaukee County Board of Supervisors

From: Edward H. Bailey, Inspector, Office of the Sheriff, Milwaukee County

Subject: File No. 12-81 - A resolution authorizing and directing the Manager of the Milwaukee County Election Commission to work with Office of the Sheriff as well as the election officials of the Cities of Milwaukee and Franklin to facilitate absentee voting by inmates at Milwaukee County's correctional facilities for primary and general elections in 2012 and further directing the Manager of the Milwaukee County Election Commission to aggregate and report voting irregularities experienced by the electorate as reported by municipal election officials during said elections.

At its meeting on January 19, 2012, a request was made of the Office of the Sheriff by Supervisor Jursik that the Office of the Sheriff provide a report back regarding the issue of absentee ballots for the March 1, 2012 meeting of the Committee on Judiciary, Safety and General Services.

Virtually all MCSO inmates will soon return to our Milwaukee County communities. The public is best served if offenders are not only held stringently accountable for their actions, but also have the opportunity to become law-abiding and successful members of the community when they are released. Facilitating inmate reentry, and maintaining the sense of the "ties that bind" all of our citizens to their community can aid in crime reduction, with fewer new crime victims, reduced local criminal justice costs, and most importantly safer neighborhoods.

The Detention Services Bureau (DSB) of the Sheriff's Office, encompassing both the County Correctional Facility - South Division (CCF-S) with its primarily post-conviction inmate population, and the County Correctional Facility - Central Division (CCF-C), with its primarily pre-trial inmate population, adhere to the following guidelines in registering inmates to vote:

- Laminated signs announcing voter registration (Appendix A) are posted in all DSB Housing Units.
- The orientation speech that all new housing unit assignees receive includes information regarding voting, and the attached document is provided to all inmates during orientation.
- Voter Registration forms and Absentee Ballot applications are available in all the housing units.
- Housing Officers include, as a part of their daily rules announcement, information regarding absentee voting.
- The Programs Lieutenant for the DSB coordinates the handling and delivery of the registration forms and absentee ballots.

As a general rule, in keeping with Wisconsin State Statute 6.84(1)(1) (Absentee Voting):

The legislature finds that voting is a constitutional right, the vigorous exercise of which should be strongly encouraged. In contrast, voting by absentee ballot is a privilege exercised wholly outside the traditional safeguards of the polling place. The legislature finds that the privilege of



David A. Clarke Jr.
Sheriff

**MILWAUKEE COUNTY
OFFICE OF THE SHERIFF
Detention Services Bureau**

DATE: February 17, 2012
TO: All CCFS and CCFC Inmates

Inmates have the right to vote even while incarcerated. **Inmates without this right are:**

- Inmates serving time for a felony
- Inmates on probation, parole or extended supervision for a felony

All inmates who wish to vote must be a registered voter and do so by **absentee ballot**.

- Eligible inmates must first be registered to vote (see below for registration information).
- Eligible inmates must request an absentee ballot for each election.
- A copy of a photo ID is required to request an absentee ballot to vote. If you do not have one you may have a friend or family mail or bring a photocopy of your ID. Your photo ID is needed in advance of the registration process. A copy of your photo ID must be included with the absentee request
- A third party can request an absentee ballot without your signature **ONLY** if they have power of attorney for you.
- **Huber inmates only** – Those that do not have the appropriate identification will be afforded special permission to obtain a photo ID, vote absentee in the municipal office, or vote at the polls on Election Day. Make sure you speak to the appropriate people before performing any of these tasks.
- ID's may not have an expiration date older than November 2, 2010.

To Vote in the Spring Election of 2012 while incarcerated in the Milwaukee County Correctional Facility you must follow the following procedure:

- To **REGISTER** as a voter:
 - Voter registration forms are available in all of the housing units. Turn completed forms with proof of residency into the housing unit officer. You must be a registered voter to vote absentee ballot.
- To **APPLY** for an **Absentee Ballot**:
 - Requests for Absentee Ballots are available in every housing unit
 - Complete the application and include your photo ID.
 - Submit your completed Ballot request to the Programs Lieutenant No Later than March 23, 2012.
 - You will receive your Absentee Ballot in the mail from the municipal clerk's office.

All absentee ballots are due back to the Programs Lieutenant no later then the day prior to the election – Monday, April 2, 2012.

Supervisor Willie Johnson, Jr.
Committee on Judiciary, Safety and General Services
February 21, 2012
Page Two

voting by absentee ballot must be carefully regulated to prevent the potential for fraud or abuse; to prevent overzealous solicitation of absent electors who may prefer not to participate in an election; to prevent undue influence on an absent elector to vote for or against a candidate or to cast a particular vote in a referendum; or other similar abuses.

An Absent Elector is defined as "...any otherwise qualified elector who for any reason is unable or unwilling to appear at the polling place in his or her ward or election district." Certainly, the majority of the MCSO inmate population qualifies.

Under Statute 6.86 (1), Methods for obtaining an absentee ballot, "Any elector of a municipality who is registered to vote whenever required and who qualifies...as an absent elector...may make written application to the municipal clerk of that municipality for an official ballot...(3) By signing a statement and filing a request to receive absentee ballots...

Under 6.86(1)(ar), "Except as authorized in s. 6.875 (6), the municipal clerk shall not issue an absentee ballot unless the clerk receives a written application therefore from a qualified elector of the municipality."

Under 6.86(1)(b), "(Except as provided in this section) if application is made by mail, the application shall be received no later than 5 p.m. on the 5th day immediately preceding the election. If application is made in person, the application shall be made no earlier than the opening of business on the 3rd Monday preceding the election and no later than 5 p.m. or the close of business, whichever is later, on the Friday preceding the election."

In general, Wisconsin State Statute 6.03(1)(b) prohibits voting by any person convicted of treason, a felony, or bribery, unless the person's right to vote is restored through a pardon or under s. 304.078 (3):

(Restoration of civil rights of convicted persons):

304.078(2) Except as provided in sub. (3), every person who is convicted of a crime obtains a restoration of his or her civil rights by serving out his or her term of imprisonment or otherwise satisfying his or her sentence. The certificate of the department or other responsible supervising agency that a convicted person has served his or her sentence or otherwise satisfied the judgment against him or her is evidence of that fact and that the person is restored to his or her civil rights.

304.078(3) If a person is disqualified from voting under s. 6.03 (1) (b), his or her right to vote is restored when he or she completes the term of imprisonment or probation for the crime that led to the disqualification. The department or, if the person is sentenced to a county jail or house of correction, the jailer shall inform the person in writing at the time his or her right to vote is restored under this subsection.

Sincerely,



Edward H. Bailey, Inspector
Office of the Sheriff

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(ITEM 40) A resolution to **RECEIVE AND PLACE ON FILE** (vote 6-0) an informational report from the Office of the Sheriff dated February 23, 2012, regarding the execution of a contract with G4S Wackenhut for bailiff services in Milwaukee County Courtrooms.

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County of Milwaukee
Office of the Sheriff

David A. Clarke, Jr.
Sheriff

DATE: February 23, 2012

TO: Chris Abele, County Executive
Supervisor Lee Holloway, County Board Chairman
Patrick Farley, Director, Department of Administrative Services

FROM: Richard Schmidt, Inspector, Milwaukee County Sheriff's Office

SUBJECT: Emergency Declaration

Pursuant to Chapter 32.28 of the Milwaukee County Ordinances, the Office of the Sheriff is proceeding with the execution of a professional service contract with G4S Wackenhut, Inc. to provide bailiff services in Milwaukee County Courtrooms.

Background

The 2012 Requested Budget for the Office of the Sheriff included the creation of 12.50 FTE hourly positions of Bailiffs offset with an increase of vacancy and turnover equal to 12.00 FTE of Deputy Sheriff 1 to provide coverage in the Courts during off time of full time Deputy Sheriffs. As part of the process to create new positions, the Personnel Committee must vote on the appropriate pay range for that position. The County Board voted the proposed pay range for the Bailiffs Hourly on December 15, 2011. However, it would take the Department of Human Resources a period of weeks to compile a list of eligible candidates for the new hourly bailiff positions in addition to background checks. It is anticipated by the Office of the Sheriff that it could take until May of 2012 before it could reasonably expect to fill the Hourly Bailiff positions.

In addition, the 2012 Adopted Budget for the Office of the Sheriff included the abolishment of 53 Deputy Sheriff 1s. This has resulted in the layoff of 48 Deputy Sheriff 1s in mid-February. This effectively leaves the Sheriff without the ability to utilize existing Deputy Sheriffs located in other areas to provide Courtroom security while awaiting the new hires.

Service to the Community Since 1835

821 West State Street • Milwaukee, Wisconsin 53233-1488
414-278-4766 • <http://www.mksheriff.org>

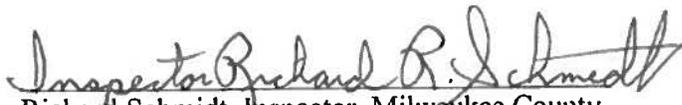
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Since safety in the Courts cannot be compromised, the Office of the Sheriff entered into a contract with G4S Wackenhut effective February 20, 2012 to provide security personnel in the Courts. The Office of the Sheriff intends to issue a request for proposals to enter into a long-term contract for the partial provision of bailiff services. Providing security in the Courts is a statutory requirement of the Sheriff.

Under Wisconsin State Statute 59.27(3), Duties of the Sheriff, the Sheriff of a county "...shall...attend upon the circuit court held in the sheriff's county during its session..." This fundamental statement of authority was bolstered by subsequent decisions in landmark cases such as Brunst (legislation invalidated because it sought to take away from the sheriff duties that were characteristic of the office, and that public policy favored keeping characteristic duties of the sheriff under the power of the sheriff because he is elected, and consequently, is answerable to the electors); Kocken (unless these 'time immemorial' duties were constitutionally protected from interference by others, the constitutional provision securing the people the right to choose sheriffs would become meaningless); and Brown County (where the court held that because the duty was characteristically the sheriff's, he can, as a result, contract with third parties for the carrying out of the duty.)

The contract commences on the effective date, February 20, 2012, and continues until the Office of the Sheriff gives notice to G4S, as this is an emergency contract for services.

Fiscal Note: The maximum annualized cost of the contract is \$1,387,360 and will be paid for by existing resources within the Office of the Sheriff 2012 Adopted Budget. An appropriation transfer will be submitted to the Committee on Finance and Audit to transfer funding from Personnel Services to provide for the contract.



Richard Schmidt, Inspector, Milwaukee County

cc: Lynne De Bruin, Vice Chairman, Finance and Audit Committee
Willie Johnson, Jr., Chairman, Judiciary, Safety and General Services Committee
Pamela Bryant, Interim Fiscal and Budget Administrator
Jon Priebe, Public Safety Fiscal Administrator

Service to the Community Since 1835

821 West State Street • Milwaukee, Wisconsin 53233-1488
414-278-4766 • <http://www.mksheriff.org>



G4S Secure Solutions (USA) Inc.
633 W. Wisconsin Ave
Suite 593
Milwaukee, WI 53203

Telephone: 414.277.7622
Fax: 414.277.7609
Email: mark.schaefer@usa.g4s.com
www.g4s.com/us

February 29, 2012

Milwaukee County Board
Judiciary, Safety and General Services Committee
Milwaukee County Courthouse
901 North 9th Street, Room 201
Milwaukee, WI 53233

Attn: Committee Clerk Janelle Jensen

For distribution to members of the Judiciary, Safety and General Services Committee in advance of their March 1 committee meeting.



G4S Secure Solutions (USA) Inc.
633 W. Wisconsin Ave
Suite 593
Milwaukee, WI 53203

Telephone: 414.277.7622
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Email: mark.schaefer@usa.g4s.com
www.g4s.com/us

February 29, 2012

Milwaukee County Board
Judiciary, Safety and General Services Committee
Milwaukee County Courthouse
901 North 9th Street, Room 201
Milwaukee, WI 53233

Attn: Committee Clerk Janelle Jensen

Dear Members of the Judiciary, Safety and General Services Committee:

At your meeting this week, you will be reviewing a report from the Milwaukee County Sheriff's Office (MCSO) concerning their decision to enter into an emergency contract with G4S Secure Solutions (G4S) to provide part-time bailiff duty services to support Milwaukee County Sheriff's Deputies in Milwaukee County Courtrooms. As you discuss this contract and the Sheriff's plan to issue a request for proposal to enter into a long-term contract for this security support, I wanted to reach out to you directly and make myself available to you and your colleagues.

By partnering with G4S to provide part-time bailiff services, the Department will have greater flexibility in staffing bailiff positions, which will enable it to significantly reduce or eliminate overtime expenses in this area for the County and its taxpayers. We are always pleased to work with the Sheriff's Department, as we have with other County Departments, to bring greater efficiencies and cost savings to County taxpayers. G4S' partnership with the Sheriff's Department to provide security services for Milwaukee County's inmate transport program speaks to our Officers' high level of service and experience. Through our work providing inmate transfer services, G4S Officers have successfully transferred more than 70,000 inmates more than 300,000 miles, without incident. Most recently, G4S has begun the transport of "high-risk" prisoners which had previously been done by the Sheriff's Tactical Enforcement Unit (TEU).

Our work with the higher-risk inmate transport program speaks to the quality, training and performance of G4S Officers, which will serve them well as they perform the duties associated with courtroom services, including:

- Providing security support to the Sheriff Deputy assigned to the courtroom;
- Escorting defendants who are in custody, allowing the Sheriff's Deputy to remain in the courtroom at all times; and
- Assisting in the administration of court functions as directed by the Sheriff's Deputy, judge and/or the clerk.

In addition to up to 80 hours of extensive courtroom training by MSCO, all courtroom officers will undergo G4S training, including 40 hours of advanced security training and recertification for firearms/taser use (when appropriate). Additionally, any officer that has not been active (either on duty or in the academy) for more than one year will receive training for Defence and Arrest Tactics (DAAT) and firearms, consistent with Wisconsin law enforcement standards.

All courtroom officers must pass MSCO's background check. Additionally, officers are subject to G4S' extensive checks, which include:

- Identity Verification
- Employment/Education Verification
- Criminal Records Check
- Drug Screen
- Driver's License Check
- Credit Report

After completing training and background verifications, officers will be equipped with:

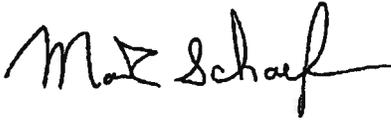
- Glock 22 (.40 cal), the same weapon issued to MCSO Deputies
- Taser, same weapon issued to MCSO Deputies
- Pepper spray

- Collapsible baton (ASP)
- Handcuffs
- Radio
- Gloves
- First aid/CPR kit
- Body armor
- Full uniform, similar in style to what MCSO Deputies are currently wearing

We look forward to expanding our partnership with the Sheriff's Department and building upon the success of our work with the inmate transfer program, to continue to provide superior service to the Sheriff and Milwaukee County.

Please do not ever hesitate to contact me if I can ever be of service.

Thank You.



Mark Schaefer
General Manager, G4S Secure Solutions, Inc.
633 W. Wisconsin Ave.
414-277-7622
mark.schaefer@usa.g4s.com



Milwaukee Deputy Sheriffs' Association

821 W. State Street, Room 408, Milwaukee, Wisconsin 53233 • (414) 276-5222 • Fax (414) 276-5295

*J.Flem #10
12-281*

March 1, 2012

Members of the Judiciary Committee:

Sheriff Clarke has requested authorization to execute a contract he has entered into with G4S Wackenhut, Inc. The contract is for bailiff services equal to 12.50 FTE hourly positions. The Milwaukee Deputy Sheriff's Association believes the 12.50 FTE hours should be filled with Deputy Sheriffs recently subject to layoff. The 2009-2012 Agreement Between County Of Milwaukee And Milwaukee Deputy Sheriffs' Association states in section 3.30(g) an employee has the right to recall for a period of 6 years and 1 day.

The Sheriffs' Office as estimated the maximized annual cost of said contract at \$1,387,360. This equates to \$110,988.80 per FTE. On October 19, 2011 Milwaukee County Director of Labor Relations Fred Bau estimated the FTE cost of a Deputy Sheriff as follows:

Wage per position: \$59,211

Health Care: \$19,080

Average Overtime: \$750

FICA: \$4,590

Pension: \$7,800 (13.9% Deputies now contribute ½ equal to \$3,900)

Total: \$91,431 (After the pension contribution \$87,531)

The Sheriffs' Office has stated this is an emergency appointment based on public safety. If this is the case the Sheriff has the option of moving the remaining Deputy Sheriffs out of the CCF-S and CCF-C. The Sheriff could also recall Deputies and near instantly restore the level of service that has been diminished.

The Sheriff stated publicly Wednesday February 29, 2012, that the Milwaukee County Sheriffs' Association should be more worried about crunching numbers and less about him. I agree. We crunched are numbers and figures supplied by Director Bau indicate a savings of \$23,457.80 if Deputies are recalled and not privatized. The Sheriff has crunched his numbers, the MDSA has crunched our numbers, and now we ask that you crunch yours prior to acting on the Sheriffs' proposal.

Sincerely,

Roy Felber, President

Norbert Gedemer, Treasurer

1 Supervisor Willie Johnson, Jr., Chairperson
2 From the Committee on Judiciary, Safety and General Services:

3
4 File No. 12-209

5
6 (ITEM ⁴¹) From the County Executive, appointing Ms. Carol Wichmann to the Milwaukee
7 County Ethics Board for a term expiring February 28, 2014, by recommending confirmation of
8 the said appointment (vote 6-0).

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**Carol L. Wichmann
10300 W. Edgerton Av.
Hales Corners, WI 53130
Phone (414) - 529-4370**

Education:

**BA - Alverno College
Certification in Labor Management Relations – Marquette University**

Boards:

**Customer Advisory Committee - Wisconsin Physicians Service (WPS)
Board of Directors - Health Care Network of WI
Board of Directors – League of Women Voters, Milwaukee County
Personnel Committee – St. Mary Parish, Hales Corners**

Prior Work Experience:

**Personnel Manager - Target Stores
Benefits Manager – Milwaukee Insurance
Benefits Manager – Milwaukee County
Director of Personnel – United Regional Medical Services
Benefits and Insurance Manager – Foley and Lardner LLP**

Retired from Foley in May 2008.

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(ITEM 42) A resolution / ordinance amending Chapter 1, Milwaukee County General Ordinances, Rules of the County Board of Supervisors, by recommending adoption of the following:

A RESOLUTION / AMENDED ORDINANCE

WHEREAS, adopted County Board Resolution File No. 03-482 authorized “the creation of a work group consisting of Corporation Counsel and County Board staff to review and make recommendations for revisions pertaining to the rules of procedures for the conduct of meetings and the transaction of business, including the application of parliamentary procedures, by the County Board of Supervisors” and to report back to the Committee of Whole; and

WHEREAS, following considerable study and review, staff has recommended revisions to Chapter 1 addressing updates to a number of provisions relating to rules of procedures for the conduct of meetings and the transaction of business; and

WHEREAS, these revisions address several procedural matters, including, but not limited to: Board and Committee meeting times and composition (e.g., the change from 25 to 18 Supervisors), Board and Committee motions and voting procedures, updates of the duties of Committees and clarification of the general role of the County Board Chairman as a department head; and

WHEREAS, in addition, the revisions contain a number of technical changes that reflect various departmental re-organizations, division name changes, etc.; now, therefore,

BE IT RESOLVED, that the County Board of Supervisors does hereby adopt the following ordinance amending Chapter 1 of the General Ordinances of Milwaukee County.

AN AMENDED ORDINANCE

To amend Chapter 1 of the General Ordinances of Milwaukee County relating to the Rules of the County Board of Supervisors.

The County Board of Supervisors of the County of Milwaukee does ordain as follows:

SECTION 1. Chapter 1 of the General Ordinances of Milwaukee County, is hereby amended as follows:

Chapter 1 RULES OF THE COUNTY BOARD OF SUPERVISORS

45 Preamble

- 46 1.01. Meetings.
47 1.02. Meeting organization.
48 1.03. Opening of meeting.
49 1.04. Voting.
50 1.05. Speaking at meetings.
51 1.06. Departure from meeting.
52 1.07. Motions in general.
53 1.08. Specific motions.
54 1.09. Resolutions and ordinances.
55 1.10. Fiscal notes.
56 1.11. Standing committees.
57 1.12. Select committees.
58 1.13. Committee meetings.
59 1.14. Committee reports.
60 1.15. Referring resolution, ordinance or report for legal opinion.
61 1.16. Requests relating to personnel matters.
62 1.17. Procedures for consideration of personnel requests.
63 1.18. Communications, reports, departmental requests, reference files.
64 1.19. Reference of request for appropriation transfers to county executive.
65 1.20. Requests for impeachments or investigation.
66 1.21. Treatment of doubtful claims; separate action.
67 1.221. Consideration and confirmation of appointments.
68 1.232. Publication of proceedings.
69 1.243. Repeal, amendment or correction of rules.
70 1.254. Budgetary procedure.
71 1.265. Directives of the county board; how enforced.
72 1.276. Application of Robert's Rules of Order.
73 1.27 Chairperson of board is head of department
74 1. 3128. Request relating to appeal of civil actions.
75 1. 3229. Decorum of supervisors in committee meetings.

76
77 Preamble

78
79 We, the members of the Milwaukee County Board of Supervisors, pursuant to
80 Wisconsin Statutes and the General Ordinances of Milwaukee County, and to
81 achieve the order and decorum that expedite the transaction of business and
82 maintain the free and open discussion which guarantee democracy for our nation
83 and good government for the citizens of our county, do hereby submit ourselves to
84 be governed in our deliberations by the following rules of procedure.

85
86 **1.01. Meetings.**
87

88 (a) ~~Regular Annual~~ meetings. The statutory or annual meeting of the county
89 board shall be convened at 8:30 a.m. on the Monday next succeeding the regularly
90 scheduled monthly meeting on the first Thursday in November. ~~Such annual~~
91 ~~meeting may be adjourned from time to time thereafter as the county board shall~~
92 ~~determine until the next annual meeting, and such adjourned annual~~ for the purpose
93 ~~of considering reports of the committee on finance and audit and committee on~~
94 ~~personnel on new positions for the next fiscal year as well as recommendations for~~
95 ~~amendments to the executive's budget. The county board shall reconvene no less~~
96 ~~than sixty (60) minutes following the noon lunch hour recess or by consensus of the~~
97 ~~county board.~~

98
99 (b) ~~+Regular~~ meetings of the county board shall convene at 9:30 a.m. unless
100 otherwise designated. In order to provide an advanced schedule of regular meeting
101 dates, ~~the county board adopts a policy of scheduling a monthly regular~~ meeting of
102 the county board on the third Thursday shall be of scheduled generally on a
103 Thursday within each month, except when otherwise designated by the county
104 board meeting schedule, these rules or by action of the county board. August will
105 not have a regularly scheduled meeting of the county board. ~~The regularly~~
106 ~~scheduled meeting after summer recess will be determined by the chairperson of the~~
107 ~~county board.~~ November will have a regularly scheduled monthly meeting on the
108 first Thursday preceding the annual meeting, ~~which shall be the regular meeting of~~
109 ~~the county board prior to the annual meeting, so as to avoid a conflict with the dates~~
110 ~~of the budget procedure outlined in section 1.25 of the Code. The county board~~
111 ~~chairperson shall provide to the county board, following the first meeting of the~~
112 ~~board after the election of supervisors, a schedule of county board meetings for the~~
113 ~~remainder of the year and, by September 15, a schedule of county board meetings~~
114 ~~for the remainder of the term, up to and including the first (organizational) meeting~~
115 ~~of the next term. The digest (agenda) for each county board meeting shall be~~
116 ~~established by the county board chairperson or, in his or her absence, by the 1st vice~~
117 ~~chairperson or the 2nd vice chairperson.~~

118
119 ~~(b) — Budget meetings. The annual meeting of the county board shall be convened~~
120 ~~at 8:30 a.m. on the Monday next succeeding the regularly scheduled monthly~~
121 ~~meeting on the first Thursday in November for the purpose of considering reports of~~
122 ~~the committee on finance and committee on personnel on new positions for the~~
123 ~~next fiscal year as well as recommendations for amendments to the executive's~~
124 ~~budget. The county board shall reconvene at 1:30 p.m. following the noon lunch~~
125 ~~hour.~~

126
127 (c) *Special meetings.* A special meeting shall be held only when requested by a
128 majority of the members of the county board, such request to be in writing,
129 addressed and delivered to the county clerk, who shall note the time of such
130 delivery to him/her on such request. Such request shall specify the time and place of
131 such meeting, which shall not be less than forty-eight (48) hours after the delivery of

132 such notice to the county clerk. The request shall identify the purpose of such
133 meeting and shall include reference to such other items as may be required by law,
134 ordinance or board action. Upon receiving such request, the county clerk shall
135 forthwith give notice of the time and place of such meeting by mail to each member
136 of the county board. If the request is delivered to the county clerk less than seventy-
137 two (72) hours before the time of such meeting, the county clerk, in addition to the
138 mailing hereinbefore referred to, shall telephone each supervisor; if any supervisor
139 is not contacted by telephone, the county clerk shall furnish to the sheriff of the
140 county a copy of such notice of time and place of meeting for delivery to unnoticed
141 members of the county board. The sheriff shall thereafter furnish to the county clerk
142 an affidavit of delivery of such notice. The inability of the sheriff to deliver such
143 notice to a supervisor shall not be deemed a defect to the notice requirement under
144 this subsection. Any special meeting may be adjourned from time to time by a vote
145 of a majority of all members of the county board.

147 **1.02. Meeting organization.**

148
149 (a) *Election of officers at first meeting.* The first meeting of the county board,
150 after the election of supervisors ~~(being the meeting at which shall be for the purpose~~
151 of organizing the county board ~~is and organized) is and is~~ a special meeting to be
152 called as such. The county board, at such meeting, shall be called to order by ~~the~~
153 ~~chairperson of the county board for the preceding term, if still a supervisor; and in~~
154 ~~his/her absence or disability, by the first vice chairperson of the county board for the~~
155 ~~preceding term, if still a supervisor; and in his/her absence or disability, by the~~
156 ~~second vice chairperson of the county board for the preceding term if there be such,~~
157 ~~if still a supervisor, and in the absence or disability of such chairperson and vice-~~
158 ~~chairpersons, by~~ the county clerk. If a majority of the supervisors, duly elected and
159 qualified, answer to their names as called, they shall proceed to elect one of their
160 number as chairperson, one of their number as first vice-chairperson and may
161 further, in their discretion, elect one of their number as second vice-chairperson.
162 Upon election of a chairperson, the chairperson shall immediately preside over the
163 remainder of the meeting.

164
165 (amb) *Election of officers other than at first meeting.* The officers specified in
166 subsection (a) of this -Rule serve at the pleasure of the county board. The
167 chairperson or a vice-chairperson may be removed from his or her office at any
168 time, ~~for cause,~~ by the election of a successor. The election of a successor to an
169 incumbent county board officer shall require a ~~three-fifths~~ two-thirds vote of the
170 members elect. The county board may elect a successor at any regular meeting of
171 the county board or at a special meeting held in conformity with these rules.

172
173 i) *Petition for election of officer(s).* Election of a chairperson and/or vice-
174 chairperson during the tenure of an incumbent chair and/or vice-chair at a
175 time other than the organizational meeting under subsection (a) shall be

176 initiated by a petition subscribed by a ~~three-fifths~~two-thirds majority of the
177 members-elect of the county board and submitted to the county clerk, stating
178 that the subscribing supervisors request that an election be held for the office
179 of county board chairperson and/or county board vice-chairperson. The
180 county clerk shall provide a copy of a petition for election of county board
181 chairperson and/or vice-chairperson submitted under this subsection to all
182 members of the county board. The election requested in the petition shall be
183 placed on the agenda of the next regularly scheduled county board meeting
184 following the date the motion is filed, provided that the motion is filed not
185 less than 14 days before the date of that meeting. The order of business
186 specified in Rule 1.~~0203~~(c) notwithstanding, an election requested under this
187 subsection shall be taken up as the first item of business after the roll call
188 under Rule 1.~~0203~~(b).

189
190 (ii) *Petition for election of officers at special meeting.* A special meeting
191 for election of officers shall be held only when requested by a ~~three-fifths~~two-
192 thirds majority of the members of the county board, such request to be in
193 writing, addressed and delivered to the county clerk, who shall note the time
194 of such delivery to him/her on such request. A petition for election of county
195 board chairperson and/or vice-chairperson under this subsection may include
196 a request that a special meeting be scheduled and noticed according to the
197 scheduling and noticing provisions of Rule 1.01(c) but not less than 14 days
198 after the petition is filed for the purpose of holding the election requested in
199 the petition, in which case a special meeting shall be convened and an
200 election shall be held as requested in the petition.

201
202 (iii) *Conduct of election.* With the exception of a requirement for a two-
203 thirds ~~three-fifths~~ majority vote, an election for county board chairperson
204 and/or vice-chairperson under this subsection shall proceed in the same
205 fashion as the election of such officer or officers at the organizational meeting
206 under subsection (a) of this Rule. The incumbent vice-~~chairman~~chairperson
207 shall preside over an election for the office of chairperson. If a member of
208 the county board other than the incumbent is elected to a county board office
209 in an election under this subsection, the incumbent is thereupon removed
210 from that office and the newly-elected member shall assume that office
211 immediately.

212
213 ~~(iv) — *Candidate statements.* A member of the county board who desires to~~
214 ~~be a candidate for county board chairperson or vice chairperson at an~~
215 ~~election initiated by a petition under this subsection shall submit a statement~~
216 ~~of proposed policies and programs as required for that office under Policy R-~~
217 ~~103, Milwaukee County Administrative Manual (Cty. Bd. File No. 72-434).~~
218 ~~The statement shall be submitted to the county clerk not less than seven days~~
219 ~~before the regular or special meeting at which the election will be held, and~~

220 the county clerk shall provide a copy of the statement to all members of the
221 county board.

222
223 ~~(v) — Content of petition. A petition under this subsection shall not~~
224 ~~include, either in the petition proper or in any preliminary recitals, charges or~~
225 ~~insinuations or other matter which impugns the official integrity of the~~
226 ~~incumbent chairperson or vice chairperson.~~

227
228 ~~(b)~~ (c) *Sergeant at arms; duties.*

229
230 (1) The chairperson of the county board shall designate for each meeting
231 a staff member(s) to serve as sergeant at arms. The designated sergeant at
232 arms shall attend meetings of the county board and, under direction of the
233 chairperson, preserve order and decorum. The chairperson of the county
234 board may request the sheriff to detail a deputy sheriff to act as sergeant at
235 arms when, in the discretion of the chairperson, such action is deemed
236 appropriate.

237
238 (2) It shall be the duty of the sergeant at arms to exclude from within the
239 bench of the county board room, during its sessions, all persons except the
240 county clerk, ~~deputy~~ county clerk staff, county board staff, corporation
241 counsel, or designees of such persons, ~~former members~~, and reporters,
242 photographers and camera operators for the public press, radio and
243 television, provided they observe general rules of decorum, unless such
244 persons ~~are present for the purpose of receiving an award, for the purpose of~~
245 ~~participating in the meeting, or~~ receive permission to be on the floor by the
246 chairperson. However, none of those persons so designated shall have the
247 privilege of the floor or the hall area immediately behind the county board
248 room if registered as a lobbyist or directly or indirectly engaged in defeating
249 or promoting any legislation before the county board. Sitting on the railing in
250 the county board room or placing items on the railing is not permitted
251 (except the placement of county board digests or other pertinent information
252 by county board staff) during County Board meetings and any persons
253 engaging in such conduct shall be asked to cease such action or be removed
254 from the county board room by the sergeant at arms.

255
256 ~~(c) — County board staff. No staff or position shall be assigned to serve the county~~
257 ~~board or its supervisors unless said staff or position has been authorized by an~~
258 ~~affirmative majority vote of the county board at a regular county board meeting.~~
259 ~~Provisions of this rule shall apply regardless of funding source or services~~
260 ~~contributed on a voluntary basis.~~

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263 **1.03. Opening of meeting.**

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(a) *Call to order.* ~~Promptly a~~At the hour of meeting, the chairperson of the county board, or in his/her absence the first vice-chairperson, or in his/her absence the second vice-chairperson, shall call the members to order ~~and and, except for the first session of the annual meeting,~~ shall request all members present to rise for the pledge of allegiance and one moment of silent prayer and meditation. In case of the absence of the chairperson or vice-chairperson, the county board shall elect one of its members temporary county board chairperson. The ~~first session of the annual meeting shall be opened with a prayer~~an invocation offered by a member of the clergy selected in rotation without discrimination as to race, gender, creed, or religious affiliation, ~~or color~~ who shall serve without compensation. Regular meetings may be opened with an invocation.

(b) *Roll call.* The chairperson shall direct the calling of the roll. The county clerk, on recording the initial roll call at the opening of each county board meeting, shall mark those supervisors who are present "present," and those who are absent "absent," and those who are excused by the chairperson "excused," and shall, in the paragraph immediately following the said roll call, insert the names of those supervisors who have been marked absent who are present later in the meeting of the county board, and said county clerk shall further record the appearance of such supervisors marked absent at the point in the proceedings when they appear during meetings of the county board. If a majority of the members-elect answer to their names as called, the chairperson shall announce the presence of a quorum. If no quorum is present at any regular or special meeting of the county board, the chairperson may issue a warrant to the sheriff of the county, and compel the attendance of the members absent without having first been excused by the county board chairperson, and in such case, said session shall remain open until the sheriff shall make return on the warrant delivered to him/her. When such return has been made, it shall be recorded in the journal. If the sheriff's return shows that he/she is unable to find the absent members or that they are unable to attend through illness, the meeting shall stand adjourned.

(c) Order of Business. The order of business shall be as follows:

1. Roll call
2. Presentations by supervisors
3. Presentation of petitions and communications
4. Resolutions and ordinances referred to standing committees
5. Correction and approval of the Journal of Proceedings
6. Unfinished business
7. Reports of county officers
8. Resolutions and ordinances by and from standing committees

- 308 9. Resolutions and ordinances by and from select committees
- 309 10. Transit system claims
- 310 11. County board citations and certificates
- 311 12. Resolutions and ordinances presented under suspension of the rules
- 312 13. Announcements and remarks under special privilege
- 313 14. Adjournment

314 ~~(c) Order of business. The order of business shall be as follows:~~

- 315
- 316 ~~1. Correction and approval of the journal of proceedings.~~
- 317
- 318 ~~2. Unfinished business.~~
- 319
- 320 ~~3. Presentation of petitions and communications.~~
- 321
- 322 ~~4. Resolutions and ordinances referred to standing committees.~~
- 323
- 324 ~~5. Reports of county officers.~~
- 325
- 326 ~~6. Resolutions and ordinances by and from standing committees.~~
- 327
- 328 ~~7. Resolutions and ordinances by and from select committees.~~
- 329
- 330 ~~8. Transit system claims.~~
- 331
- 332 ~~9. County board citations and certificates.~~
- 333
- 334 ~~10. Resolutions and ordinances presented under suspension of rules.~~

337 **1.04. Voting.**

339 (a) *Quorum.* A majority of the supervisors entitled to a seat in the county board
 340 shall constitute a quorum for the transaction of business. All questions shall be
 341 determined by a majority of the supervisors present, unless otherwise provided by
 342 statutes or this chapter.

344 (b) ~~Excuse~~ Abstain from voting. No member shall ~~be excused~~ abstain from voting
 345 on a question when put, except by ~~the affirmative vote of a majority of the members~~
 346 ~~present, and all motions to excuse a member from voting shall be made before the~~
 347 ~~calling of the ayes and noes on the question pending~~ specific request notice of that
 348 supervisor. Any member wishing to ~~be excused~~ abstain from voting ~~may shall~~ may
 349 make a brief verbal statement of the reason for ~~making such request~~ abstaining; and
 350 ~~the question upon such motion shall then be taken without further debate. All~~
 351 ~~members shall be in their seats when voting.~~

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(c) *Roll call votes obligatory; when.* When a roll call is ordered by the chairperson, the county clerk shall call the roll in alphabetical order, with the chairperson voting last, and give to the chairperson the final number of those voting on each side. Debate shall be closed with the commencement of the roll call and no motion shall be received until after the result of the voting is announced by the chairperson. All members shall be in the board room when voting. A roll call vote must be taken on:

1. Each committee report, and any proposed amendment(s) thereto;
2. Any action under suspension of rules;
3. Any action to suspend the rules, unless unanimous consent be granted;
- ~~4. Any question at the request of any member, which request may be made after a voice vote but before the next question is stated or motion made;~~
- 5.4. Elections to offices and positions to be filled by the county board unless otherwise provided by law.

(d) *Measures required to be adopted by affirmative vote of two-thirds or more of members-elect of the board.* The following matters require the affirmative vote of two-thirds or more of the members-elect of the county board as hereinafter designated:

- (1) Any resolution or ordinance transferring funds from the contingency appropriation, ~~two-thirds.~~
- (2) Receipt of revenue appropriation transfers.
- ~~(3) Any resolution or ordinance creating new, permanent or temporary positions or increasing salaries or other employment benefits which is acted upon by the county board after the adoption of the budget applicable to the period in which the ordinance or budget would become effective, two-thirds.~~
- (4) Any resolution or ordinance which has been vetoed by the county executive.
- (5) A motion to withdraw a matter from committee unless notice is given as provided in section 1.09 ~~(b2)~~ (4) of the Code.

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(e) Temporary borrowing. Temporary borrowing under s. 67.12 Wis. Stats., requires a three-fourths vote of members-elect to be adopted.

(ef) Procedure on matters vetoed by county executive. A resolution or ordinance which has been vetoed by the county executive and returned to the county board shall be read by the county clerk along with the county executive's message, after which it shall be presented by the chairperson as follows:

"Shall the foregoing ordinance (resolution) vetoed by his/her honor, the county executive, be adopted? If you wish to override the veto, you vote `aye'; if you wish to sustain the veto, you vote `no.' "

After the presentation of the above question by the chairperson, the following motions are in order for non-budgetary vetoes only:

- (1) To lay on the table over;
- ~~(2) To postpone to a day certain;~~
- (2) To refer to corporation counsel;-
- (3) To refer to a committee.

If the resolution or ordinance is referred to committee, it shall be taken up at the next meeting of the committee and reported to the board at its next meeting. Further, it shall not be subject to amendment or change and on its return to the county board shall again be presented by the chairperson in the manner set forth above.

(f) Changing votes during meetings. Members may change their votes from "aye" to "nay" or from "nay" to "aye" on any matter prior to the chairperson announcing the vote. Once the results of a vote are announced, any member wishing to change their vote, or to be recorded as voting, when such vote does not affect the outcome, shall ask consent of the body. If any member objects to the request, the request shall be voted on and shall be approved if supported by a majority of members voting.

1.05. Speaking at meetings.

(a) *Recognition before speaking.* When any member is about to speak in debate or present any document to the county board, he/she shall rise in his/her place and respectfully address the chairperson. Upon being recognized, such member shall

440 not be interrupted except by a call to order. If called to order by the chairperson,
441 he/she shall take his/her seat and shall not proceed without leave of the chairperson,
442 unless granted leave by appeal from the decision of the chairperson, sustained by
443 the county board. When more than one member desires to speak in debate or make
444 any motion, the first member to rise shall be recognized by the chairperson. If a
445 member is called to order at any time and refuses to take his/her seat after a request
446 by the chairperson, or after being seated, engages in offensive or disruptive conduct,
447 any other ~~member may~~member may move to have him/her ejected from the county
448 board room until such time as he/she complies with the rules of the county board
449 and if such motion be adopted, he/she shall be removed by the sergeant at arms.
450 The motion to eject shall be decided without debate.

451
452 (b) *Limitations of speech.* No member shall speak a second time on a question
453 during any meeting until any other member who desires to speak on the question
454 shall have been heard. No member shall speak more than twice on a question
455 during any meeting without first obtaining ~~leave permission from~~of a majority of the
456 members present. Merely asking or answering a question shall not be counted as
457 speaking in debate. When speaking, each member shall confine himself/herself to
458 the merits of the question under consideration, maintain a courteous tone, avoid
459 personalities, refer to officers by title only, refrain from attacking or questioning the
460 motives of any other member and avoid the mention of other members' names in a
461 demeaning or derogatory manner.

462
463 **1.06. Departure from meeting.**

464
465 No member present at any meeting of the county board shall withdraw from the county
466 board room without permission from the chairperson. No member, staff person or other
467 individual allowed on the floor shall walk between the chairperson and a member who has
468 the floor.

469
470 **1.07. Motions in general.**

471
472 (a) *Presentation and form of motions.*

473
474 (1) Every motion shall be stated by the chairperson and at the request of
475 any member shall be reduced to writing by the county clerk and shall
476 then be read before any action is taken thereon.

477 ~~(1)~~(2) Motions made during county board meetings or committee meetings
478 do not require a second.

479
480 (b) *Precedence of motions.* When a question is under debate, no motion shall
481 be received except a motion:

482
483 1. To adjourn.

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2. To reconsider.
3. To refer to standing committee.
4. To lay over for one meeting.
5. To refer to the corporation counsel for a legal opinion.
6. To lay on the table.
7. For the previous question.
8. To postpone to a certain day.
9. To refer to a select committee.
10. To amend.
11. To postpone indefinitely, to place on file or to reject.

These several motions shall have precedence in the order in which they stand arranged in this subsection.

1.08. Specific motions.

(a) *Reconsideration.* When a question has once been decided, either in the affirmative or the negative, it shall be in order for any member who voted with the prevailing side (or where the county board is evenly divided, for any member) to give notice that he/she will move a reconsideration at the next succeeding meeting, or to move a reconsideration on the same day. If an eligible member has given notice that he/she will move reconsideration at the next succeeding meeting, it shall not be in order for any other eligible member thereafter, and at the same meeting, to move immediate reconsideration unless the rules are suspended. When a majority of the members then present vote in favor of the motion for reconsideration, the subject shall again be before the county board for further action ~~and the question shall be put in the same form as it was in just prior to the vote, which was reconsidered.~~ Once a matter has been reconsidered and acted upon by the county board, the matter shall not be reconsidered unless the rules are suspended. The motion to reconsider shall take precedence over all other motions, except a motion to adjourn. A motion to reconsider, after being put and lost, shall not be renewed. A motion to suspend the rules on a particular question, if adopted, shall not be reconsidered. If an eligible member has given notice that at the next succeeding meeting he/she will move reconsideration of a question resulting in the adoption of

528 an ordinance or resolution, such ordinance or resolution shall be retained by the
529 county clerk until the next succeeding meeting of the county board and shall be
530 noticed on the next county board digest. It shall not be in order for any member to
531 serve notice of a motion to reconsider the vote on any question involving an
532 amendment ~~to~~ or adoption of the budget or the adoption of a tax levy. Action on
533 resolutions or ordinances vetoed by the county executive are not subject to a
534 motion for reconsideration.

535
536 (b) *Rescission*. Any member of the county board may move to rescind any
537 action taken by the county board in the adoption of any resolution or vote of
538 election to an office within the choice of the county board except in the following
539 cases:

540
541 (a~~1~~) After something has been done as a result of that vote that the county
542 board cannot undo; or

543
544 (b~~2~~) Where it is in the nature of a contract and the other party is informed
545 of the fact; or

546
547 (c~~3~~) Where a resignation has been acted upon, or one has been elected to
548 office, and was present at the time of voting or has been officially notified.

549
550 A motion to rescind may be adopted by a majority of the members present and voting of
551 the county board. A motion or resolution to rescind has no privilege but stands on a footing
552 as a new resolution. A motion to amend a resolution previously adopted shall likewise be
553 governed by this subsection.

554
555 (c) *Suspension of rules*. Except as hereinafter provided in this subsection, the
556 rules of the county board may be suspended by unanimous consent of the members
557 present or, if there is objection to the suspension of the rules, by the affirmative vote
558 of two-thirds of the members present. Sections 1.14(b) and 1.15 of the Code shall
559 not be suspended except by unanimous consent of the members present. Citations
560 and certificates of congratulations, commendation or condolence shall not require
561 suspension of rules provided the provisions set forth in section 1.09(g)(2) of the
562 Code are complied with.

563
564 (d) *Division of question*. When a motion, resolution or ordinance relating to a
565 single subject contains several parts, each of which is capable of standing as a
566 complete proposition if the other parts are removed, such parts can may be
567 separated for consideration by the county board, as if they were distinct questions,
568 by adoption of a motion for division of a question. ~~If independent resolutions or~~
569 ~~ordinances dealing with different subjects are offered in one (1) motion, one (1) or~~
570 ~~more of the several resolutions or ordinances must receive separate consideration~~
571 ~~and vote at the request of any member, without a motion for division of a question.~~

572 ~~A motion to strike out and insert is indivisible. Loss of a motion to strike out and~~
573 ~~insert shall not preclude a motion to amend, to strike out or to insert.~~

574
575 (e) *Amendments to amendments; precedence.* A second motion to amend,
576 made while a first motion to amend an original proposition is pending (i.e., a
577 motion to amend a pending amendment to an original motion, resolution or
578 ordinance), shall preclude all other amendments until such second motion to amend
579 is decided. Every amendment proposed to a written notice, resolution or ordinance
580 shall be in writing, shall be given a number according to its precedence, shall bear
581 the name of the ~~supervisor member~~ introducing the same, and once introduced shall
582 be in some manner acted on by the county board or committee thereof. ~~During a~~
583 ~~meeting of the county board, a supervisor may request the county clerk to take an~~
584 ~~amendment by oral dictation, and the county clerk shall forthwith reduce such~~
585 ~~amendment to written form. If a motion to amend an original proposition or a~~
586 ~~pending amendment to an original motion, resolution or ordinance fails of adoption,~~
587 ~~such motion shall not be renewed at the meeting at which it fails of adoption.~~

588
589 (f) ~~Appeals from decision~~Appeal decision of the chairperson. A motion to
590 appeal ~~from~~ a decision of the chairperson shall take precedence over all other
591 business or motions, except the motion to adjourn, and shall be decided forthwith
592 by a majority vote of the members present and voting.

593
594 (g) *Motion to reject or place on file.* A motion to reject or place on file shall be
595 treated as a motion to postpone indefinitely and shall be applicable to main
596 questions only. A negative vote on such motions cannot be reconsidered and cannot
597 be renewed as to the same main question at the same meeting.

598 599 **1.09. Resolutions and ordinances.**

600
601 (a) *Presentation and form.* Every resolution or ordinance presented to the
602 county board shall be in writing, and shall have a title expressing the general subject
603 of the resolution or ordinance ~~and, prior to being considered by the county board.~~
604 Every ordinance presented to the county board, shall be approved as to legal form
605 by the corporation counsel prior to being considered by the county board.
606 Resolutions which direct that an action be taken shall specify by name and/or title
607 the official(s) responsible for taking such action.

608
609 (b) ~~(b)~~ Reference to committees and withdrawal from committees.

610
611 (1) All resolutions and ordinances other than those embodied in a
612 committee report, as defined in section 1.14(b) of the Code, shall be
613 submitted to the county board chairperson, with a copy to the county board
614 chief committee clerk. The chairperson shall, within five (5) days of receipt of
615 the document, refer the resolution or ordinance to the appropriate standing

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committee(s) for a report. The date upon which the chairperson refers the resolution or ordinance shall be deemed as the official referral date to the committee(s). Said action by the chairperson shall be deemed as authorization to the appropriate standing committee chairperson(s) to schedule the resolution or ordinance for review. If the ~~c~~Chairperson does not refer the resolution or ordinance to the appropriate standing committee within five days after receipt, that communication, report or request shall automatically be placed on the agenda of the ~~c~~County ~~b~~Board at the next meeting for referral to the appropriate standing committee.

(2) Each member of the county board shall receive a copy of a resolution or ordinance submitted to the county board for adoption under suspension of ~~the~~ rules ~~unless there be unanimous consent to suspend this requirement~~. If suspension of rules is granted, the question on the passage of the resolution or ordinance shall be put by the chairperson as a matter of course without awaiting a motion from the floor.

(3) Resolutions or ordinances referred to committees shall be reported at a succeeding meeting with a recommendation for adoption, or amendment and adoption, or indefinite postponement, or to place on file, or to reject.

(4) Any member of the county board may give notice that he/she will move to withdraw a matter from committee at the next succeeding meeting of the county board and such motion, when made, may be adopted by a majority vote of the members-elect. If notice is not served, a matter may be withdrawn from committee by a two-thirds vote of the members-elect.

(5) Except for those resolutions and ordinances which are introduced subsequent to January 1 of an election year, all resolutions and ordinances pending before a committee of the county board shall be considered to have been placed on file at the end of the term of office of the county board. A listing of all such resolutions and ordinances to be placed on file in this manner shall be distributed to all county board supervisors by the county board chief committee clerk in January of the final year of the term.

(c) *Form of amendatory ordinances.* Proposed amendments to the Code shall be presented in writing. Any such proposed ordinance shall be presented by one (1) of the following methods:

(1) The section, subsection or paragraph to be amended shall be printed in full, in which case the matter to be deleted shall, ~~when typewritten,~~ be shown with a line drawn through the same. Matter to be inserted or added shall, ~~when typewritten,~~ be underscored and shall, when printed in the

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proceedings, appear in bold type; when such ordinances are officially published, the subject matter which was added shall be printed in bold type.

~~(2) — Where practicable, the method provided in subsection (c)(1) need not be used and the amendment may be accomplished by use of directory language specifying the proposed change and the exact location thereof in the text of the section, subsection or paragraph to be amended.~~

~~(3)~~ (2) Where the method involved in subsection (c)(1) ~~or (c)(2)~~ would be too involved, the section may be repealed and recreated.

(d) *Repealer ordinances or resolutions.* All ordinances or resolutions, or sections, subsections or paragraphs thereof, which are intended to be superseded or repealed, shall be, so far as practicable, specifically referred to and expressly repealed.

(e) *Limitation of reintroduction of measures.* Whenever any resolution or ordinance shall have been introduced for the consideration of the county board, and failed of adoption, or whenever any resolution or ordinance shall have been placed on file, such resolution or ordinance (unless substantially changed) shall not be reintroduced again until a lapse of at least ninety (90) days from the date of its indefinite postponement, failure of adoption or having been placed on file.

(f) *Withdrawal of matters in possession of the county board.* Any member (but not a committee) introducing a resolution or ordinance may withdraw it or may modify it in writing without consent of the chairperson at any time prior to any action thereon or reference to a committee. Such member may not withdraw or modify an ordinance or resolution introduced by him/her if any action thereon, or reference to a committee, has occurred.

(g) *Citations.*

(1) ~~A supervisor may move that a county board citation be issued to a particular person, or on a particular occasion, specified in the motion.~~ A supervisor may sponsor a citation on behalf of the county board to a particular person, group, or organization or to commemorate a particular event or occasion as specified in the citation.

(2) ~~Prior to presenting a motion, the supervisor will secure a request for citation form. Such form is to be completed with the necessary facts, signed and delivered to the county board chairperson's office no later than the day of a county board meeting or prior to making the motion. The chairperson shall have prepared a list with captions and sponsor(s) name(s) of all citations submitted to him/her for action on the day of a county board meeting. The~~

703 list shall be distributed to all county board members prior to the presentation
704 of citations. Any supervisor wishing to be added as a sponsor shall notify the
705 county clerk prior to the end of the county board meeting. The chairperson
706 shall not read the list for individual citations unless a request is made by a
707 supervisor. If a request for a citation is not submitted in time for action on the
708 day of the county board meeting but the citation is needed prior to the next
709 scheduled meeting of the county board, the citation shall be processed and
710 formal adoption of the citation shall take place at the next meeting of the
711 county board. Citations may be used in place of resolutions for
712 commendations, congratulations, and condolences of persons, groups, or
713 organizations or to give recognition to unusual and important events or
714 occasions, except that the use of citations may not be abused. The
715 chairperson of the board may more specifically interpret this subsection.
716

717 (3) ~~All citations of congratulations, commendation or condolence shall be~~
718 ~~approved by a voice vote unless a supervisor requests a roll call vote. If the~~
719 ~~motion carries, the county board chairperson will transmit the request for~~
720 ~~citation to his/her staff for preparation and distribution. Citations recognizing~~
721 ~~an event or person having countywide significance shall be signed by the~~
722 ~~chairman of the county board and may also be signed by the supervisor~~
723 ~~requesting the citation. Citations recognizing an event or organization in a~~
724 ~~particular supervisory district or a particular constituent in a supervisory~~
725 ~~district shall be signed by the supervisor representing that district.~~ If desired by
726 the issuing supervisor, a citation on behalf of the board may be coauthored
727 by one or more other supervisors.
728

729 (4) ~~Citations may be used in place of resolutions for commendations,~~
730 ~~congratulations and condolences of present or past county board members~~
731 ~~and public officials, or to give recognition to an important event.~~ A supervisor
732 sponsoring a citation shall secure a request for citation form from the county
733 board chairperson's office. Such form shall be completed with the necessary
734 facts, signed and delivered to the chairperson's office.
735

736 (5) ~~One (1) copy of each citation shall be furnished by the county board~~
737 ~~chairperson's staff to the county clerk and such citation shall be entered in~~
738 ~~the journal of proceedings under the name of the person or event named in~~
739 ~~the citation, but shall not be printed in full in the proceedings. The names of~~
740 ~~persons or events included in citations which have been processed prior to~~
741 ~~formal adoption by the county board shall also be entered in the journal of~~
742 ~~proceedings for the county board meeting at which the citation is formally~~
743 ~~adopted by the county board in accordance with subsection (g)(2).~~ The
744 Chairperson shall have prepared a list of citations, with sponsor(s) names, for
745 action at the next meeting of the board.
746

747 (6) ~~Citations may not be used for procedural matters nor in place of~~
748 ~~resolutions memorializing congress, but only when appropriate to express the~~
749 ~~feelings of the county board with reference to a person, organization, or of an~~
750 ~~event.~~Citations may not be used for procedural matters or in place of
751 resolutions memorializing congress, but only when appropriate to express the
752 feelings of the county board with reference to a person or event.
753

754 **1.10. Fiscal notes.**

755
756 (1) No resolution, ~~or ordinance~~ or communication from any county officer,
757 board or commission shall be considered by the county board, or by any committee
758 thereof to which it has been referred, unless it shall have attached as a note a
759 reliable estimate of the fiscal effect ~~or absence of the same~~. The fiscal note shall be
760 prepared on a form approved by the committee on finance finance and audit and
761 supplied by the department of ~~administration~~ administrative services. With respect to
762 any collective bargaining agreement, any amendment to chapter 17 of the general
763 ordinances affecting wages or benefits, or any other action affecting the wages or
764 benefits of county employees, the fiscal note shall include as much information as is
765 practicable under the circumstances about the fiscal impact upon each department
766 affected by the action. In addition, at minimum, the fiscal note shall set forth details
767 of the projected annual countywide fiscal impact projected for each year of the
768 collective bargaining agreement or, in the case of any other action affecting the
769 wages or benefits of county employees, shall contain information regarding the
770 projected fiscal impact at least five (5) years into the future. When necessary,
771 affected agencies ~~shall~~ may assist the author in the preparation of the fiscal note. ~~If a~~
772 ~~member objects to the content of a fiscal note attached to a resolution or ordinance~~
773 ~~under consideration by the county board, such resolution or ordinance shall, upon~~
774 ~~the affirmative vote of a majority of the members present and voting, be referred to~~
775 ~~the county board staff for a review and report to the county board at its next~~
776 ~~meeting.~~

777
778 (2) The requirement of this section shall apply to original measures or
779 submissions, substitute amendments and minority reports only, and not to ~~substitute~~
780 ~~amendments~~, amendments ~~or minority reports~~, ~~provided that with the affirmative~~
781 ~~vote of a majority of the members present and voting, action on any substitute~~
782 ~~amendment, amendment or minority report, together with the original measure or~~
783 ~~committee report, may be laid over pending the attachment of a fiscal note. Such~~
784 ~~fiscal note shall be attached to each substitute amendment, amendment or minority~~
785 ~~report and presented to the county board at its next meeting.~~

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787 **1.11. Standing committees.**
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(a) As soon as practical, after his/her election, the following standing committees shall be appointed by the chairperson of the county board. Each committee shall consist of seven (7) members except as herein otherwise specifically designated.

1. Committee on personnel.
2. Committee on financial and audit.
3. Committee on health and human needs.
4. Committee on judiciary, safety and general services.
5. Committee on parks, energy and environment.
6. Committee on transportation, public works and transit.
7. Committee on economic and community development.
8. Committee on intergovernmental relations. ~~(Seven (7) members, consisting of the chairperson of the county board, the first vice chair, the second vice chair and four (4) standing committee chairs. (Seven (7) members, consisting of the chairperson of the county board, the first vice-chair, the second vice-chair, two (2) standing committee chairs that are not also serving as first or second vice-chair, and two additional members.)~~
9. Committee of the whole. ~~(Twenty five (25) Eighteen (18) members,~~ chairperson being the chairperson of the county board and vice-chairperson being the first vice-chairperson of the county board.)

(b) The chairperson of the board shall make written announcements of his/her appointments to said committees and shall designate a chairperson and vice chairperson of each of said committees. The order of members' names in the chairperson's written announcement of appointment shall denote seniority ~~on each of such committees~~ on the county board. In case of a vacancy in any committee, the same shall be filled by written appointment by the chairperson of the board, ~~and such appointee shall become the junior member of the committee~~. The chairperson of the board may, at his/her discretion, change the composition of said committees including the designation of the chairperson and vice chairperson. In the event of a vacancy in the office of the county board chairperson and a successor is elected, such successor may, ~~within thirty (30) days~~ after his/her election and in the manner hereinabove provided, make any changes in committee appointments.

(c) The duties of such committees shall be to have charge of the several matters hereinafter designated but such enumeration shall not be exclusive:

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(1) *Committee on personnel.* All matters affecting reclassification and compensation, hours, benefits and conditions of employment of county offices and ~~employee~~employee personnel, and the classification and pay of additional positions; departmental policy of the civil service commission; administration of employees' award program. (The chairperson of the committee on personnel may appoint an advisory committee consisting of the county executive or designee, the corporation counsel or designee, the director of the ~~department of administration~~department of administrative services or designee, the director ~~of the department~~ of human resources or designee, and a member of the committee to assist in the administration of the employees' award program.) Departmental policy of department of labor relations and human resources and divisions of labor relations and employee benefits of department of administrative services.

(2) *Committee on finance and audit.*

1. Departmental policy of: the general office of the county executive, general office of the county board, department of audit, ~~department of administration~~department of administrative services (divisions of administration & fiscal affairs, information management services, procurement, and risk management), and county treasurer.

2. County budget matters.

3. Issuance of debt.

~~3.4.~~ Taxation matters.

~~4. Serve as equalization committee required by s. 73.05(4), Wis. Stats.~~

5. Insurance matters.

6. Need for additional positions.

7. Policy matters having a fiscal effect outside the current budget.

~~7.8.~~ Review the reports of the audit department to ensure that departments implement the many program improvements and cost saving recommendations so that the county board can provide the best service at the lowest possible cost to the taxpayer. (The chairperson of the committee on finance and audit may appoint a

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special audit implementing subcommittee to spearhead the implementation of audit department report recommendations.)

~~8.9.~~ Other financial matters of concern to the county.

(3) *Committee on health and human needs.*

1. Departmental policy of the department of health and human services ~~(DHS)~~, including the divisions of behavioral health, housing, economic support, delinquency & court services, disabilities services, management services, county health programs and director's office administration, mental health complex, the DHS adult services division, department of aging, division of county supported health programs including the emergency medical services (paramedic program), International Health Training Center.

~~2.~~ All matters pertaining to the county's primary health care program.

~~3.~~ All programmatic policy matters related to the General Assistant Medical Program (GA-MP).

~~2.4.~~ All policy matters related to the office ~~on~~ for persons with disabilities in the department of administrative services. ~~and~~

~~3.~~ All matters pertaining to the department ~~of~~ on aging.

~~4.~~ All matters pertaining to the department of family care.

~~3-5.~~ All matters pertaining to the county executive's veterans service office.

(4) *Committee on judiciary, safety and general services.*

1. Departmental policy of: county funded state court services, family court commissioner, jury commission, register in probate, election commission, county clerk, register of deeds, sheriff, medical examiner, legal resource center, district attorney, ~~house of correction~~, department of child support enforcement services, and corporation counsel, ~~emergency government.~~

2. Review of all matters pertaining to suits or claims by or against the county, including those for personal injuries and property damage. The committee has the authority to approve the payment of

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claims against the county in an amount not to exceed \$10,000 and to recommend to the board to approve the payment of claims in excess of that amount. Corporation counsel is delegated authority to approve the payment of claims against the county where the payment is no more than \$500, pursuant to §59.52(12)(b) of the statutes. The committee shall be afforded confidential access to privileged attorney-client communication and to attorney work product in any matter where Milwaukee County or a Milwaukee County officer or employee is named as a part in an action or proceeding arising from the commission of official duties.

~~3. Claims for workers compensation.~~

~~4. Personal injuries.~~

~~5. Property damage.~~

~~6~~3. Applications for licenses requiring action by the county board.

~~7~~4. Purchase of surety bonds.

~~8~~5. Action required by state statute.

(5) *Committee on parks, energy and environment.*

1. Departmental policy of department of parks, recreation and culture, ~~stadium~~, zoological gardens, public museum, cultural activities (including funds for the arts), university extension service and the environmental ~~division~~section of the department of ~~transportation and public works~~administrative services.

2. County parks and parkways.

3. Matters pertaining to war memorial board of trustees.

4. All functions to be performed by a committee on extension education under the provisions of s. 59.~~97~~56, Wis. Stats.

5. All matters pertaining to protection of environment including, but not limited to, water pollution, noise pollution, insecticide control, lakeshore erosion, community beautification activities, land utilization, street tree replacement studies and other environmental control oriented programs over which the county has authority to exercise control or in relation to which the county has an interest

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requiring the expression of policy. The term "environment" also encompasses the concept of home environment as well as natural environment.

6. All matters relating to the conservation of all uses of energy, including, but not limited to, oil, coal, wind, nuclear and solar energy by all county programs and departments; the study, review and recommendation of plans and solutions relating to energy conservation in the county which may be submitted by citizens or county employes; and the review of energy-related matters being considered by the public service commission which will have a substantial effect on the county. The term "energy" also encompasses residential energy as well as industrial and commercial energy.

7. All matters relating to the conservation of air, water, energy and all other resources. ~~which are being consumed in such wasteful manner that the supplies will be exhausted or so diminished that future generations will suffer hardship.~~

8. All matters pertaining to consumer education and protection, particularly in the area of public service providers.

9. This committee shall exercise the powers and duties of county land conservation committees required by ch. 92, Wis. Stats., and the county board shall appoint the chairperson of the county agricultural stabilization and conservation committee created under 16 USC 590h(b), or a member of such committee designated by him/her, to the land conservation committee of the county.

(6) *Committee on transportation, public works and transit.*

1. Departmental policy of: Department of Transportation airport, ~~DPW professional transportation~~ services, highway, ~~maintenance division, fleet management, maintenance division,~~ county transit/paratransit system, administration; and Department of Administrative Services ~~and~~ facilities management division, including architectural, engineering & environmental services and sustainability section ~~institutions administration and facilities management, paratransit services.~~

2. All policy matters pertaining to the construction, maintenance, control and operation of county airports.

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3. All policy matters pertaining to the construction and maintenance of highways and bridges, the vacation or opening of public streets, alleys, highways or roads, for which the county has jurisdiction.

4. All powers and duties authorized to be performed by the highway committee except those duties which are authorized to be performed by the highway commissioner as prescribed in state statutes.

5. All policy matters under its jurisdiction pertaining to railroads and public utilities in the county.

6. All policy matters relating to erection, major alterations and repair of public buildings and structures.

7. All mass transit policy matters pertaining to the establishment of fares and other charges, standard of service, route locations, capital improvements, and service improvements.

~~8. Approves all county grounds land leases.~~

98. Approves all facility and land leases that are not referred to other standing committees.

9 All transportation matters pertaining to disadvantaged business enterprises.

(7) *Committee on economic and community development.*

1. All matters pertaining to economic development and the disposition of excess or surplus county lands, including but not limited to sale or lease of property and financing terms.

2. All matters pertaining to the Research Park and Airport Business Park.

3. The study and recommendations of all plans, projects and programs for fostering community development throughout the county, including the urban county development block grant program and the survey of available improved and unimproved housing sites and funds for county housing purposes.

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4. Overview the administration of all federal, state and local housing programs at the county level.

5. The study, review and recommendation of plans and solutions of housing persons displaced from their dwellings by governmental actions of the county or the municipalities which compose it, and the coordination and implementation of relocation plans and procedures with federal, state and local agencies and units of government within the county.

6. Veteran's housing.

7. All policy matters pertaining to disadvantaged business enterprises.

(8) *Committee on intergovernmental relations.* Proposed federal, state or municipal legislation affecting the county government. The committee shall consider such proposed legislation and make its recommendation thereon to the county board. Such recommendations until altered by the county board, shall guide the legislative representative of the county board in his/her work before legislative bodies. The committee may appear before the congress, the legislature and the government bodies of other municipalities, as may be necessary on pending legislation to support policies advocated by the county board.

(9) *Committee of the whole.* Subject to the call of the county board chairperson to review matters and files to be acted upon by the county board.

1.12. Select committees.

Select committees shall be constituted with membership as determined by ordinance, resolution or the chairperson of the county board.

If the resolution or ordinance creating the committee does not designate the member who is to act as chairperson of the committee, a chairperson shall be elected by the members of the committee.

1.13. Committee meetings.

(a) *Regular committee meetings.*

(1) Except when otherwise determined by the respective chairperson, regular meetings of standing committees shall be held on the days hereinafter

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specified. If the meeting day falls on an election day for a county-wide election or special election of county board supervisor or Election Day for President, the chairperson of the committee shall reschedule the meeting to a day other than the election day. The meeting shall be called to order promptly on the days and at the hour hereinafter specified, or such time as is designated in the notice of meeting by the chairperson of the committee (or in his/her absence, the ranking member thereof). Meeting days of standing committees shall be as follows:

- (a) Transportation, public works and transit--third Wednesday before county board meeting--9:00 a.m.
- (b) Judiciary, safety and general services--second Thursday before county board meeting--9:00 a.m.
- (c) Economic and community development--second Monday before county board meeting--9:00 a.m.
- (d) Parks, energy and environment--second Tuesday before county board meeting--9:00 a.m.
- (e) Health and human needs--second Wednesday before county board meeting--9:00 a.m.
- (f) Finance and audit--first Thursday before county board meeting--9:00 a.m.
- (g) Personnel--first Friday before county board meeting--9:00 a.m.
- (h) Intergovernmental relations--~~on~~at call of chairperson.
- (i) Committee of the Whole--~~on~~at call of chairperson.

(b) *Special committee meetings.* Special meetings of the standing committees may be called by the chairperson of the committee, and must be called upon written request to the chairperson by a majority of the members of such committee. At least twenty-four (24) hours prior notice of such special meeting shall be given by the committee clerk to each member of such committee, unless for good cause such notice is impossibleimpracticable, in which case shorter notice may be given, but not less than two (2) hours in advance of the meeting. An announcement by the chairperson of the board while the board is in session, of the time, place and subject matter of a special meeting of a committee to be held during a recess, shall be sufficient notice to the members of the committee.

1138 (c) *Committee general procedure.* All meetings of a committee shall be
1139 conducted in accordance with the provisions of ss. 19.81--19.98, Wis. Stats. The
1140 attendance of a majority of the members thereof shall be requisite for the transaction
1141 of business of a committee. Without a majority in attendance, a committee may
1142 consider informational items only. Committee agenda are to be prepared so that
1143 members of the county board and other interested parties will receive the agenda by
1144 United States, electronic or interoffice mail at least ~~the day~~ 24 hours before the
1145 scheduled committee meeting. All matters to be placed on the agenda must be
1146 received prior to the agenda deadline as established by the respective committee
1147 chairperson(s). Committee chairperson(s) must schedule a properly referred item
1148 within a maximum of two regular county board committee cycles. Once scheduled
1149 and publicly noticed, an item may only be withdrawn according to the provisions of
1150 1.13(d)(8). If the item is withdrawn by sole action of the committee chair pursuant
1151 to 1.13(d)(8), the item must be placed on the committee agenda for the next
1152 regularly scheduled meeting and may not be withdrawn again.-
1153

1154 The committee clerk shall enter in appropriate files kept for that purpose, a
1155 complete record of all such committee meetings, including ~~the attendance,~~ thereat,
1156 appearances for and against pending matters, and minutes of the proceedings, including all
1157 motions made and by whom, how each member voted upon each matter considered,
1158 together with the final action by the committee thereon. All actions taken by the committee
1159 shall be by roll call vote. No action shall be taken on any proposed ordinance unless it be
1160 in written form before the committee.
1161

1162 Except as herein provided and so far as applicable, the rules of procedure of the
1163 county board shall apply to committee meetings. Minority rules shall not apply to
1164 committee meetings.
1165

1166 After the conclusion of the committee meeting, the committee clerk shall prepare a
1167 separate, written report of the action of the committee upon those matters considered by it
1168 which require county board approval, for submission to the county board for action of that
1169 body. Such report shall be made up in such manner that the county board may take action
1170 upon it as a whole, or may set aside any portion of it for separate action. Any member of
1171 any committee may make a minority report of said committee on any recommendation to
1172 the board contained in the committee report. Such minority report must be presented when
1173 the matter is considered at the meeting of the county board.
1174

1175 Except as provided in the preceding sentence, it is the duty of the committee to
1176 make a report to the county board on matters referred to such committee with some
1177 definite recommendation for disposition of such matters.
1178

1179 When members of a committee or joint committee present at any meeting thereof,
1180 are, by recorded vote, evenly divided as to the disposition to be made of any subject matter
1181 referred to and pending before such committee or joint committee, such subject matter

1182 shall be returned to the next meeting of the county board without recommendation and the
1183 committee or joint committee shall thereupon be deemed to be discharged from
1184 consideration thereof.

1185
1186 (d) Committee motions and voting procedure.

1187
1188 (1) If an item is on the agenda "for information only unless otherwise
1189 directed by the committee," a motion to place on file is not needed. The
1190 committee will just receive the item. However, if a motion is made and a
1191 roll call is taken, said item will be reported to the board.

1192
1193 (2) If a motion to adopt an item fails, it will be reported to the board with
1194 a recommendation to reject.

1195
1196 (3) To take any other action on an item after it has been rejected, a
1197 motion to reconsider must be made and passed. Only a supervisor who
1198 voted on the prevailing side of the rejection action can make the motion to
1199 reconsider.

1200
1201 (4) If a motion to place on file or to reject fails, the matter is still before
1202 the committee and another motion shall be in order.

1203
1204 (5) If a motion to adopt, postpone indefinitely, place on file or reject
1205 receives a tie vote in committee, the matter shall be reported to the county
1206 board without recommendation.

1207
1208 (6) If a motion to refer, lay over or amend receives a tie vote, said motion
1209 fails and another motion is in order.

1210
1211 (7) No motions, or debate on motions, shall be made from the
1212 chairperson. If the chairperson wishes to make, or to speak at any length on,
1213 a motion, the chairperson shall turn over the gavel to the vice chairperson or
1214 next senior member for the remainder of the item. This provision shall not
1215 prevent a chairperson from questioning a witness concerning testimony
1216 being presented to the committee.

1217
1218 (8) Once a committee comes to order, and attendance is taken to
1219 establish a quorum, any item on the agenda can only be removed by
1220 concurrence of a majority of the committee. Prior to the committee coming
1221 to order, an item can be removed by the chairperson.

1222
1223 (9). Supervisors wishing to add their names as co-sponsors of resolutions
1224 or ordinances introduced by supervisors shall, prior to a committee's final
1225 vote on said resolution or ordinance, obtain the permission of the primary

1226 sponsor, and be added if there is no objection from a member of the
1227 committee. If there is objection, a vote of the committee shall be taken
1228 regarding adding the co-sponsor(s).
1229

1230 **1.14. Committee reports.**
1231

1232 (a) *Consideration of committee reports.*
1233

1234 (1) A committee report is the written record of its recommendation upon
1235 a matter referred to it by the county board. It is the duty of a committee to
1236 report to the county board on all matters referred to it. ~~Under the fifth order~~
1237 ~~of business, t~~The county clerk may read, upon request by any member and
1238 direction from the chairperson, the ~~digest of~~ reports of the standing and select
1239 committees in the order that such committees are designated in section
1240 1.11(a) except that the order may be changed by the affirmative vote of a
1241 majority of the members present. Any items on which separate action is
1242 required or ~~has been~~ requested ~~should~~ shall be read by the county clerk in
1243 their entirety, as outlined on the digest, if so requested by a supervisor and
1244 directed by the chairperson. When a committee report has been submitted to
1245 and is before the county board for action, the question on the adoption of the
1246 committee report shall be put by the chairperson as a matter of course
1247 without awaiting a motion from the floor. ~~shall put the question: Shall the~~
1248 ~~report of the _____ committee be adopted?.~~ The chairperson
1249 shall then inquire whether separate action on any item in the report is
1250 desired. It shall then be in order for any member to request separate action
1251 on any matter contained in such report, and such item shall be laid aside.
1252 When a minority report is filed, the item to which it pertains shall be laid
1253 aside. The chairperson shall then put the main question. Upon disposition
1254 thereof, each matter laid aside for separate action shall be considered in its
1255 turn and, as to each, the chairperson shall put the question in the form which
1256 carries out the recommendation of the committee, provided that where a
1257 minority report has been filed, the question shall be: Shall the minority report
1258 be substituted for the ~~majority report~~ recommendation of the committee?
1259 Upon request by any member and direction from the chairperson the
1260 minority report shall be read by the county clerk. ~~A roll call shall be taken on~~
1261 ~~each committee report and also upon all action taken on any resolution~~
1262 ~~under suspension of the rules.~~
1263

1264 (2) When a resolution or ordinance has been referred under section
1265 1.09(b) to more than one committee, the county board may take action on
1266 such resolution or ordinance after the report from one of such committees.
1267

1268 (b) *Committee report laid over on request.* Action on the report of any
1269 committee as defined in subsection (a) of this section, when it first makes its report,

1270 shall be deferred until the next meeting of the county board ~~other than a special~~
1271 ~~meeting~~ if one-third of the members present and voting so request. If the report of
1272 said committee is re-referred to said committee or any other committee and
1273 thereafter the subject matter is again returned to the county board, action thereon
1274 shall not be deferred except as provided by section 1.15 or by a majority vote of the
1275 members present.

1276
1277 The above rule shall not apply to the report of the committee on ~~finance~~ finance and
1278 audit on the executive budget, including resolutions proposing tax levies and
1279 recommendations on new positions to become effective in and included in the budget for
1280 the following fiscal year.

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1282

1283 **1.15. Referring resolution, ordinance or report for legal opinion.**

1284

1285 With the affirmative vote of one-third of the members present and voting at any
1286 meeting of the county board, any resolution, ordinance or report shall be referred to the
1287 corporation counsel and the written opinion of the latter secured as to the legality of the
1288 resolution or ordinance offered, or the recommendation made in any report presented to
1289 the county board for adoption. Such opinion shall be rendered to the county board at its
1290 next meeting held not less than forty-eight (48) hours after the referral, and copies
1291 distributed to all members. The resolution, ordinance or report, ~~unless substantially~~
1292 ~~changed by amendment,~~ shall not be rereferred again to the corporation counsel for a legal
1293 opinion except by a majority vote of the members present. ~~The question of whether the~~
1294 ~~resolution, ordinance or report has been substantially changed by amendment shall be~~
1295 ~~decided by the chairperson following consultation with the corporation counsel.~~

1296

1297 The above rule shall not apply to:

1298

1299 (1) The report of the committee on ~~finance~~ finance and audit on the
1300 executive budget.

1301

1302 (2) Resolutions proposing amendments to the executive budget.

1303

1304 (3) Resolutions proposing tax levies.

1305

1306 (4) Recommendations of the committee on ~~finance~~ finance and audit on
1307 new positions to become effective in, and to be included in, the budget for
1308 the following fiscal year.

1309

1310 **1.16. Requests relating to personnel matters.**

1311

1312 (a) *Reclassifications, reallocations, appointments and advancements.*

1313 Reclassifications of existing positions, reallocations of non-represented positions,

1314 appointments at an advanced step of a pay range and advancements within a pay
1315 range shall be submitted to the director of human resources and processed in
1316 accordance with the provisions of chapter 17 of the Code.

1317
1318 (b) *New positions.* Personnel requests relating to the creation of new positions,
1319 which are required during a current fiscal year because of an urgent need, may be
1320 submitted to the county board at any time during such year. Personnel requests
1321 relating to the creation of new positions to become effective and to be included in
1322 the budget of the following fiscal year shall be submitted to the county executive by
1323 such date as determined by the county executive. All requests for current year new
1324 positions shall be referred to the committee on ~~finance~~finance and audit, committee
1325 on personnel, the department of human resources and the ~~department of~~
1326 ~~administration~~department of administrative services. The ~~department of~~
1327 ~~administration~~department of administrative services shall submit a recommendation
1328 regarding the necessity for the requested positions to the committee on
1329 ~~finance~~finance and audit, and the department of human resources shall submit its
1330 recommendations regarding the classification of new positions to be created during
1331 ~~the~~ current budget year as soon as reasonably possible. The ~~department of~~
1332 ~~administration~~department of administrative services shall submit recommendations
1333 regarding the necessity for new positions requested for the next fiscal year to the
1334 county executive for consideration in the subsequent year's executive budget. The
1335 committee on ~~finance~~finance and audit shall review positions recommended for
1336 creation by the county executive during its hearings on the executive budget and
1337 report its recommendations to the county board on or before the ~~second~~Monday ~~of~~
1338 next succeeding the regularly scheduled monthly meeting on the first Thursday in
1339 November. The department of human resources shall submit its recommendations
1340 to the committee on personnel regarding the classification and pay for new positions
1341 for the next fiscal year recommended by the county executive and/or committee on
1342 ~~finance~~finance and audit, so the committee on personnel can report its
1343 recommendations to the county board on or before the ~~second~~Monday next
1344 succeeding the regularly scheduled monthly meeting on the first Thursday in ~~of~~
1345 November.

1346
1347 (c) *Review by county board staff.* If the personnel request is for new positions
1348 in the ~~department of administration~~department of administrative services, it shall
1349 also be reviewed by the county board staff and a recommendation regarding the
1350 necessity for the requested positions submitted to the committee on ~~finance~~finance
1351 and audit. If the request relates to reclassifications, reallocations, appointments at an
1352 advanced step of the pay range and advancements within the pay range in the
1353 department of human resources, it shall be reviewed by the county board staff and
1354 processed in a manner consistent with the authority granted to the director of
1355 human resources under chapter 17 of the Code.

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(d) *Urgent requests.* Any personnel request requiring county board action which is considered sufficiently urgent and necessary to require that it become effective in the current year, shall not become effective unless an ordinance or resolution relating thereto is adopted by an affirmative vote of two-thirds or more of the members-elect of the county board. If such ordinance or resolution is not adopted by such vote, but nevertheless receives the affirmative vote of a majority of a quorum of the county board, the provisions of section 17.06 of the Code shall apply. Any ordinance or resolution relating to a personnel request which requires an appropriation of funds must contain a provision for the necessary transfer of funds.

1.17. Procedures for consideration of personnel requests.

(a) *Definitions.* Where used in this subsection, the following words shall mean:

- (1) County board shall mean the county board of supervisors.
- (2) Commission shall mean the county civil service commission.
- (3) Committee shall mean the committee on personnel.
- (4) Petitioner shall mean the person or organization, including a member of the county board, making or sponsoring the request, resolution or ordinance, or the authorized representative of such person or organization.
- (5) Code shall mean the Milwaukee County Code of General Ordinances.

(b) *Filing of personnel request.* All personnel requests by whomsoever made (in any way affecting county offices and employe positions, compensation, hours of labor or conditions of employment, specification of duties and any other matters referred to in chapter 17 of the Code relating thereto) for salary increases, reclassifications, fringe benefits, additional positions and other personnel requests which would require a change of the provisions of chapter 17 of the Code, shall be filed ~~in triplicate~~ with the chairperson of the county board for presentation to the county board and reference to the commission.

(c) *Hearing on personnel request.* At such hearing, the procedure in considering such personnel request shall be as follows:

- (1) The petitioner, or his/her representative, shall be given a reasonable time to present his/her case and any supporting data to the committee, and during such period shall not be subject to interruption by any person other than members of the committee.

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(2) When the petitioner has concluded his/her argument, the commission shall present its report and recommendation to the committee.

(3) After the commission has concluded its presentation, the petitioner shall have a reasonable opportunity to comment upon the commission's recommendations and, while so doing, shall not be subject to interruption by any person other than members of the committee or representatives of the commission.

(4) After the procedures specified in said subsections (1), (2) and (3) have been concluded, the committee shall hear any person desiring to speak on the request.

(4a) Where circumstances require, the chairperson of the committee shall have the right to vary the order of the procedure outlined in subsections (c)(1), (2), (3) and (4).

(5) Thereafter the committee, in public session, shall consider and make such recommendations as it sees fit pertaining to said request. If the committee's recommendation is to deny the request, the recommendation shall be in the form of a resolution so indicating. If the committee's recommendation grants such request in whole or in part, such recommendation shall be evidenced by a resolution or ordinance, as the case requires. The effective date of such resolution or ordinance shall be stated therein.

(6) In the event that the committee requires more time than originally scheduled to determine its position with respect to such request, it may ~~adjourn-recess~~ such hearing from time to time as may be determined by it, and on said ~~adjourned-recessed~~ day ~~reconvene resume and resume~~ its consideration, ~~but recommendations on all matters referred to the committee must be submitted to the county board not later than October 10 of each year.~~

(7) The committee shall submit a report and recommendation on each such request to the county board, at the next meeting of the county board, following determination of the committee's recommendation.

(8) Compliance with the procedure outlined in subsections (1) to (7) inclusive, of this subsection, is intended to be in compliance with the requirements of s. 111.70(2), Wis. Stats.

1.18. Communications, reports, departmental requests, reference files.

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(a) *Reference of communications and reports.* All communications to the county board, reports of county officers, requests of county officers, requests of department heads and employes, and communications from the county executive, which are not in response to an existing county board file, or a previous request from a committee, shall be addressed to the county board chairperson who shall, within five (5) business days of receipt of the document, refer said document to the appropriate standing committee(s) for a report. The date upon which the chairperson refers the said document(s) shall be deemed as the official referral date to the committee(s). Said action by the county board chairperson shall be deemed as authorization to the appropriate standing committee chairperson(s) to schedule the matter for review. If the Chairperson does not refer the communication, report or request to the appropriate standing committee within five business days after receipt, that communication, report or request shall automatically be placed on the Presentation of Communications that is published in the Official Proceedings agenda of the County Board at the next meeting for referral to the appropriate standing committee. Items that are for information only shall be addressed to the respective committee chairperson and a copy shall be provided to the county board chairperson. Except for those communications and reports which are introduced subsequent to January 1 of an election year, all communications and reports pending before a committee of the county board shall be considered to have been placed on file at the end of the term of office of the county board. A listing of all such communications and reports to be placed on file in this manner shall be distributed to all supervisors by the county board chief committee clerk in January of the final year of the term.

(b) *Copy of communications and reports to chief committee clerk.* A copy of all such communications and reports, submitted to the county board chairperson, shall also be transmitted to the county board chief committee clerk or other committee clerks.

~~(c) — *Form of departmental request for county board action.* Whenever a county department head or employe requests action by the county board upon any subject matter, he/she shall make written request there for in the following form in duplicate:-~~

From _____
(Insert name of department officer)

Subject _____
(Insert title descriptive of subject)

~~Such request shall be delivered to the county clerk, or county board chairperson, by 10:00 a.m. on the day preceding the regularly scheduled meeting of the county board and shall~~

1487 ~~be accompanied by a draft of an appropriate resolution or ordinance to be adopted by the~~
1488 ~~county board in the event the request is approved.~~

1489
1490 (d) *Reference files.* The county board chairperson, upon request from the
1491 ~~standing chief~~ committee ~~chairperson(s), clerk,~~ shall be authorized to establish
1492 reference files to be utilized by the standing committees for submission of
1493 recommendations to the county board concerning matters referred to the
1494 committees on an ongoing or continuous basis, or for receipt of informational
1495 reports from ~~departments~~ departments ~~concerning said matters.~~ .
1496

1497 **1.19. Reference of request for appropriation transfers to county executive.**
1498

1499 All requests for appropriation transfers between principal objects of expenditures or
1500 from the contingent fund shall be transferred to the county executive. He/She shall
1501 promptly consider same and report his/her recommendation thereon to the committee on
1502 ~~finance~~ finance and audit of the county board. If the county executive fails to make a
1503 recommendation within ten (10) days after the submission of a request for transfer, the
1504 committee on ~~finance~~ finance and audit may act upon such request without his/her
1505 recommendation.
1506

1507 **1.20. Requests for impeachments or investigation.**
1508

1509 All resolutions, motions and communications causing the institution of proceedings
1510 of impeachment, or investigation into the conduct of any officer or employe of this county,
1511 shall be accompanied by a specification of charges, duly signed by the members
1512 introducing the same, verified by oath of the person making such charges if such person is
1513 not a member of this county board. No resolution, motion or communication making
1514 charges or insinuations, or otherwise impugning the official integrity of any officer or
1515 employe of this county, shall be entertained by the chairperson, nor spread upon or
1516 referred to and mentioned in the journal, unless the same shall be introduced in
1517 accordance with the provisions of this section.
1518

1519 ~~**1.21. Treatment of doubtful claims; separate action.**~~
1520

1521 ~~The department of administration shall obtain a legal opinion from the corporation~~
1522 ~~counsel on all claims which, in its opinion, are doubtful. In the event the corporation~~
1523 ~~counsel advises that the claim is not legal, the claim is to be taken up with the committee~~
1524 ~~in charge of the departmental policy of the department against which such claim is~~
1525 ~~chargeable, recommending disallowance. Such claims shall be disallowed by separate~~
1526 ~~resolution of the county board.~~
1527

1528 **1.212. Consideration and confirmation of appointments.**
1529

1530 Every nomination by the county executive for appointment of ~~department head~~
1531 individuals set forth under Sec. 17.30, County Ordinances, or appointment by the county
1532 executive or county board chairperson of a member of a board or commission required to
1533 be confirmed by the county board shall, when presented to the county board by the county
1534 executive, be referred to the standing committee having jurisdiction over the office, board
1535 or commission. At least five (5) business days prior to the date of the meeting at which the
1536 appointment is to be considered, the nominee shall be notified in writing by the appointing
1537 authority to appear before the committee. ~~A report recommending either that the~~
1538 ~~appointment be confirmed or that it be rejected shall be submitted to the county board by~~
1539 ~~at least the second board meeting following the date of reference to such committee.~~
1540 Confirmation of such appointment shall be determined by roll call vote. The foregoing
1541 requirement of references shall not apply to members of the county board nor to members
1542 of any board or commission nominated for reappointment to their own position. The
1543 county clerk shall notify the county executive or county board chairperson, in writing, of
1544 the rejection of confirmation by the county board of all appointments.
1545
1546

1547 **1.223. Publication of proceedings.**

1548
1549 The proceedings of the county board shall be published ~~in the English language in~~
1550 ~~pamphlet~~ electronic form ~~of such convenient size and in such quantity as shall from time to~~
1551 ~~time be determined. Communications addressed to the county or to the county board,~~
1552 ~~including reports from county officers and department heads and contracts approved by the~~
1553 ~~county board for execution, shall not be printed at length in the proceedings unless the~~
1554 ~~chairperson shall so order.~~
1555

1556 **1.234. Repeal, amendment or correction of rules.**

1557
1558 (a) *Repeal or amendment of rules.* No rule shall be rescinded or amended nor a
1559 new rule adopted until after the ordinance proposing the same has been referred to,
1560 and a report thereon has been received from, the committee on judiciary, safety and
1561 general services.

1562
1563 (b) Clerical ~~e~~ Correction of errors. The county clerk shall have authority to
1564 correct any ordinance, resolution or memorial for:

- 1565
1566 (1) Spelling errors,
1567
1568 (2) Punctuation,
1569
1570 (3) The use of one word for another (i.e.e.g. affect for effect),
1571
1572 (4) Mistakes in numbering/lettering of sections and subsections,
1573

- 1574 (5) Insertion of an "ordaining" clause in an ordinance when such clause
1575 has been inadvertently omitted,
1576
1577 (6) Insertion of a current department, division, board, commission,
1578 committee or council ~~to name to~~that replaces s that of a former name,
1579
1580 (7) Insertion of a current position title to replace that of a former position
1581 title, and
1582
1583 (8) Insertion of a current state statute number to replace that of a former
1584 state statute number.
1585

1586 The county clerk shall operate within the framework of the corrections
1587 enumerated here, with corporation counsel approval as appropriate, and the
1588 authority granted herein shall in no way usurp the proper legislative process.
1589

1590 **1.245. Budgetary procedure.**

1591 (1) *Executive budget.*

1592 (a) Pursuant to state statutes, the county executive shall hold public
1593 hearings at which the head or a representative of every department shall
1594 appear and give information with regards to the appropriations requested.
1595 The department head shall also provide to policymakers a written and
1596 concise summary of the programmatic impacts that would occur if the
1597 department's requested annual budget were adopted without any additional
1598 changes.
1599

1600 (b) Pursuant to state statutes, the county executive shall, on or before
1601 October 1, submit to the county board the executive budget. The county
1602 board may hold a regular meeting in either September or October for the
1603 purpose of hearing the county executive's budget message, should he/she
1604 elect to deliver a budget message.
1605

1606 (c) Upon receipt of the county executive's budget, county board staff
1607 shall prepare, for distribution to all county supervisors and any interested
1608 county officials and citizens, a written overview of the budget, including
1609 sections addressing major tax levy changes, overview/policy changes, issues,
1610 concerns and questions and capital improvements.
1611

1612 (2) *Public hearings on the budget.* Pursuant to state statutes, the county board
1613 shall hold a public hearing on the executive budget not less than fourteen (14) days
1614 after publication of the summary of the executive budget, but not later than the first
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Monday in November, at which time citizens may appear and express their opinions.

(3) *Committee on financial and audit hearings.*

(a) The committee on financial and audit shall not commence its review of the executive budget until at least seven (7) days succeeding the official receipt of the executive budget, in order to allow financial and audit members and county board staff sufficient time to review the budget, meet with departmental personnel and develop suggested amendments to the budget. It is also intended that this period will be utilized by other supervisors not on the committee to familiarize themselves with the budget and to begin preparation of budget amendments so as to allow for introduction of those amendments during the time the committee is conducting hearings.

(b) Committee hearings shall be conducted during the month of October and shall be concluded no later than the last working day of October except that the committee shall hold a final hearing on a day following the public hearing. The final hearing shall be held for the purpose of considering public hearing comments and final amendments offered by supervisors, hearing the county executive's comments on the committee's actions and taking final action on the committee's amendments and the recommended tax levy.

(4) *Supervisor amendments.*

(a) Supervisors ~~should be~~ are encouraged to participate in the hearing process as early as possible. Early submission of supervisor amendments ~~would~~ allow for public comment and debate and ~~would~~ provide departments time to review and react to amendments, thus resulting in more informed decision making. In order for supervisor amendments to be considered by the committee, they must be submitted during the period when hearings are being conducted. ~~Supervisor amendments shall be considered by the committee during the time hearings are being conducted.~~ Supervisor amendments submitted after committee hearings are concluded shall require suspension ~~of~~ en the rules. Amendments considered by the committee, but not approved, shall, ~~at the request of the supervisor,~~ be forwarded to the full county board for its consideration without requiring suspension of the rules unless the sponsoring supervisor(s) request that said amendments not be forwarded.

(b) The ~~department of administration~~ department of administrative services shall present all actions of the committee, including personnel changes and amendments to operating and capital budgets, as well as

1661 individual supervisor amendments, in a format that will allow the county
1662 board to consider all recommended changes to a department/organization
1663 budget in a comprehensive manner. The budget shall be considered in
1664 numerical order by organizational unit and the county board shall adopt the
1665 budget with such changes as it deems proper and advisable.

1666
1667 (5) Executive budget vetoes.
1668

1669 The budget as adopted with amendments under subsection (4)(b) above shall
1670 be presented to the county executive, who may approve it in whole or in
1671 part. If the budget or any portion thereof is vetoed by the county executive
1672 and returned to the county board, the county board shall consider the veto at
1673 a meeting specially noticed and scheduled for that purpose not less than six
1674 days, Sundays excepted, after the budget as adopted under subsection (4)(b)
1675 has been presented to the county executive, in conformity with Wis. Stats.
1676 59.17(6). At that meeting, the county clerk shall read those items or
1677 appropriations as to which the county executive has exercised his veto
1678 authority along with the county executive's veto message.

1679
1680 The chairperson shall then put the following question to the county board:

1681
1682 "Shall the item as approved by the county board in the budget resolution
1683 and vetoed by his/her honor, the county executive, be adopted? If you
1684 wish to override the veto, you vote 'aye'; if you wish to sustain the veto,
1685 you vote 'no'."

1686
1687 The county board has a duty to promptly consider the county executive's
1688 budget vetoes. Therefore, Section 1.04(f), which governs procedure on other
1689 matters vetoed by the county executive, shall not apply to consideration of
1690 budget vetoes under this subsection. At the meeting under this subsection,
1691 motions to lay on the table and to refer to a committee shall be considered
1692 out of order. If the county board determines that the period of time between
1693 the return of the county executive's vetoes and the meeting scheduled under
1694 this subsection is so short that additional time is necessary to evaluate and
1695 consider the vetoes, or if some other exigent circumstance precludes
1696 immediate consideration of the vetoes at the meeting scheduled under this
1697 subsection, the county board may recess the meeting for a period not to
1698 exceed 48 hours.

1700
1701 **1.256. Directives of the county board; how enforced.**
1702

1703 (1) *County clerk; responsibilities.* Whenever the county board adopts a
1704 resolution or ordinance which directs any county officer, board or commission to

1705 perform a certain act or to make a report, it shall be the responsibility of the county
1706 clerk, ~~with respect to resolutions or ordinances adopted by the county board, to~~
1707 ~~immediately notify the county officer, board or commission concerned of this~~
1708 ~~directive and~~ to transmit a copy of the resolution or ordinance which was adopted
1709 ~~to the county officer, board or commission. He/She shall at the same time transmit a~~
1710 ~~copy of the resolution or ordinance to~~ and the county executive.

1711
1712 (2) *County executive; responsibilities.* It shall be the responsibility of the county
1713 executive to see that all resolutions or ordinances adopted by the county board are
1714 properly carried out and to inform the county board should the officer, board or
1715 commission directed to perform a duty or make a report fail to do so within a
1716 reasonable period of time.

1717
1718 (3) *Departments; responsibilities.* County officers, boards or commissions shall
1719 from time to time report to the county executive the steps that have been taken in
1720 carrying out any directive and shall also submit to him/her a copy of their final
1721 report on the action taken.

1722
1723 **1.267. Application of Robert's Rules of Order.**

1724
1725 "Robert's Rules of Order Newly Revised" shall govern the proceedings of the county
1726 board in all cases to which they are applicable and in which they are not inconsistent with
1727 these rules or the laws of the state.

1728
1729 1.27 Chairperson of board is head of department.

1730
1731 The chairperson of the county board is the head of the department of the county
1732 board for purposes of having budgeting and personnel oversight authority over all county
1733 board staff, overseeing departmental operations, approving departmental expenditures and
1734 submitting requested budgets.

1735
1736 **1.3128. Request relating to appeal of civil actions.**

1737
1738 (1) All requests by county officers, department heads and employes for
1739 corporation counsel representation pertaining to appeals of civil actions to the state
1740 supreme appellate court or federal courts above the district court level shall be
1741 referred to the committee on judiciary, safety and general services for a
1742 recommendation prior to authorization and approval by the county board. Such
1743 requests for leave to implement or begin the appeal shall be set forth in writing with
1744 sufficient explanation to validate the need to appeal as well as a reliable estimate of
1745 the fiscal effect.

1746
1747 (2) Whenever time limits do not permit making application to meet this section
1748 in cases of imminent emergency, prior authorization may be acquired by oral or

1749 written approval of the following public officials: county executive and county
1750 board chairperson. A written report by the corporation counsel must be submitted to
1751 each member of the county board when this section is invoked, as soon as is
1752 convenient thereafter.

1753

1754 **1.3229. Decorum of supervisors in committee meetings.**

1755

1756 Representatives of the news media, county executive and all staff, county
1757 supervisors and designated staff, constitutional officers, department heads and all other
1758 officers and employes of county government, as well as other public and private citizens,
1759 who either participate at or appear before any meetings of the county board or of ~~the~~ any
1760 standing committees or any special or select committees ~~s-members~~, are entitled to the
1761 greatest measure of respect and courtesy. In order to ensure such standard requiring
1762 individual board or committee members to adhere to the highest ideals of official conduct,
1763 and for the board or committee to maintain its own dignity and respect, the chairperson is
1764 responsible and obligated to protect persons in attendance, or who are either appearing or
1765 responding to inquiries or questioning, from any harassment or insulting remarks or
1766 colloquy. ~~Committee~~ Board and committee members must be ever mindful of their
1767 obligation to be temperate, courteous, attentive, patient and impartial so as to advance
1768 these ideals of official conduct and to avoid offensive or discourteous remarks or verbal
1769 chastisement which are offensive in nature and detract from the dignity and decorum
1770 expected while conducting the public business, and thereby eventually degrade the
1771 atmosphere within the public meeting. Supervisors should always bear in mind the need of
1772 scrupulous adherence to the rules of fair play and the necessity of being considerate and
1773 courteous to each other and to all others in attendance so as not to leave any impression
1774 that a fellow supervisor, a participant in attendance, or any person making an appearance,
1775 is being placed at a disadvantage because of any exercise of arbitrary power or any
1776 unjustified verbal accusation by any board or committee member.

1777

1778 **SECTION 2.** This ordinance shall become effective upon passage and publication.

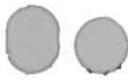
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/7/2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Amendments to Chapter 1, Milwaukee County Ordinances - Rules of the County Board of Supervisors

FISCAL EFFECT:

- Checkboxes for fiscal effects: No Direct County Fiscal Impact, Existing Staff Time Required, Increase Operating Expenditures, Absorbed/Not Absorbed Within Agency's Budget, Decrease Operating Expenditures, Increase/Decrease Operating Revenues, Increase/Decrease Capital Expenditures, Increase/Decrease Capital Revenues, Use of contingent funds.

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

Table with 4 columns: Expenditure or Revenue Category, Current Year, Subsequent Year. Rows include Operating Budget (Expenditure, Revenue, Net Cost) and Capital Improvement Budget (Expenditure, Revenue, Net Cost).

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. Changes to Chapter, 1 Milwaukee County Ordinances - Rules of the County Board of Supervisors, as directed by Adopted Resolution 03-482.

B. There are no direct costs associated with this Ordinance change.

C. There are no budgetary impacts associated with this Ordinance change.

D. No particular assumptions or interpretations were used in filling out this form

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¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Terrence Cooley

Authorized Signature

Terrence Cooley

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 43) From the Sheriff, requesting authorization to execute a Professional Services Contract with Wisconsin Physicians Service Government Programs for the processing of inmate claims, by recommending adoption of the following:

A RESOLUTION

WHEREAS, pursuant to Milwaukee County Ordinance Chapter 56, the Sheriff is requesting referral to proper board committee for review and disposition, authorization to execute a contract for the processing of inmate claims at the Milwaukee County Correctional Facilities; and

WHEREAS, the Office of the Sheriff operates two Correctional Facilities with medical and mental health services provided at each location and at times, the care required by an inmate exceeds that which can be offered on site and the inmate is taken to an outside medical provider for services; and

WHEREAS, funding of \$1.1 million is included in the 2012 Adopted Budget of the Office of the Sheriff to pay for these outside services; and

WHEREAS, prior to 2011, Milwaukee County had utilized Wisconsin Physicians Service Government Program to process the claims for these medical services through an existing agreement between the Department on Aging and WPS and beginning in 2011, the county position that was responsible for submitting the claims to WPS to determine eligibility was transferred to the Office of the Sheriff from the Department on Aging and at that point, the Office of the Sheriff began to pay directly to WPS for the claims processing services; and

WHEREAS, the Office of the Sheriff has been informed by Central Accounting that it should have its own agreement with WPS now that it is directly paying for claims processing and the Office of the Sheriff intends to enter into a contract with WPS for claims processing services related to inmate medical services performed by non-County providers at their location; and

WHEREAS, the agreement will be effective January 1, 2012, and will be completed December 31, 2013, and the County shall pay WPS at a rate of \$6.32 per paper claims, or \$2.50 per electronic claim plus a \$500 monthly maintenance fee and based on prior experience it is anticipated that the County will pay WPS \$15,000 in 2012; now, therefore,

BE IT RESOLVED, the Sheriff is hereby authorized to execute a contract with Wisconsin Physicians Service Government Programs for the processing of inmate claims for the period of January 1, 2012, through December 31, 2013.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/10/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request to execute a contract with Wisconsin Physicians Service Government Programs for the processing of inmate claims.

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|---|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

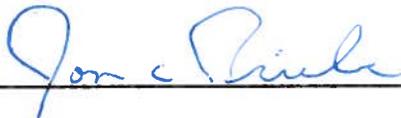
From the Sheriff, a request to execute a contract with Wisconsin Physicians Service Government Programs for the processing of inmate claims.

Prior to 2011, the Sheriff has utilized WPS via an agreement between WPS and the Department on Aging for the processing of outside inmate medical bills. Transfer of the duties to the Office of the Sheriff has resulted in the need for a contract between MCSO and WPS.

The County shall pay WPS at a rate of \$6.32 per paper claims, or \$2.50 per electronic claim plus a \$500 monthly maintenance fee. Based on prior experience it is anticipated that the County will pay WPS \$15,000 in 2012.

Department/Prepared By Molly Pahl, Fiscal Operations Manager

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 44) From the Sheriff, requesting authorization to execute a Professional Services Contract with TelePsych, Inc. to provide psychiatric services for inmates at the County Correctional Facilities, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, pursuant to Milwaukee County Ordinance Chapter 56, the Sheriff is requesting referral to proper board committee for review and disposition, authorization to execute a contract for inmate psychiatric services at the Milwaukee County Correctional Facilities; and

WHEREAS, in 1996, Milwaukee County became a defendant in litigation (Milton Christensen, et al vs. Michael J. Sullivan, et al) regarding jail overcrowding and health care services and after extended negotiations in the class action lawsuit, a consent decree was entered into by Milwaukee County in 2001; and

WHEREAS, one portion of the consent decree was the establishment of standards of medical and mental health care for inmates housed and a court appointed monitor who is currently Dr. Shansky; and

WHEREAS, the County Correctional Facility has had difficulty hiring and retaining psychiatrists for the Correctional Facilities and has been without a psychiatrist for the past eight months; and

WHEREAS, Dr. Shansky worked with detention staff and indicated the need for immediate action to get coverage for psychiatric services and the CCFC was able to obtain the necessary psychiatric care by entering into a contract with TelePsych, Inc and attached to this report is a letter from Dr. Shansky in support of the contract with TelePsych, Inc. to fulfill the medical requirements of the consent decree as it relates to psychiatric services; and

WHEREAS, TelePsych, Inc. will provide the following functions to the Milwaukee County Sheriff's Office:

- Provide inmate adult psychiatry services and medication management of mental health and additional issues including the evaluation, diagnosis and treatment of adult inmates
- Determine the necessity for an inmate's seclusion and restraint
- Serve as expert witness in court for Milwaukee County
- Completion of medical records
- Participate in quality improvement activities; and

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WHEREAS, the term of the contract is for one year March 1, 2012, through February 28, 2013 and may be extended for up to two additional one year periods for a total potential contract of three years and the contract is for \$135/hour for every hour worked not to exceed 40 hours per week for a maximum annual cost of \$280,800; now, therefore,

BE IT RESOLVED, the Sheriff is hereby authorized to execute a contract with TelePsych, Inc. to provide psychiatric services for inmates at the County Correctional Facilities of the Office of the Sheriff for March 1, 2012 to February 28, 2013.

jmj
03/09/12
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/10/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request to execute a contract with TelePsych, Inc. to provide psychiatric services for inmates at the County Correctional Facilities of the Office of the Sheriff.

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|---|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

From the Sheriff, a request to execute a contract with TelePsych, Inc. to provide psychiatric services for inmates at the County Correctional Facilities of the Office of the Sheriff.

Under the Christensen consent decree, the County must meet minimum standards of inmate medical care. This contract has the support of the court-appointed Medical monitor to enable adequate provision of inmate psychiatric care.

The 2012 Adopted Budget included funding for a Medical Director-Mental Health of \$261,164, full time Psychiatrist of \$237,429 and an hourly Psychiatrist of \$196,024 offset with vacancy and turnover of \$196,024 for total tax levy funding of \$498,593. Current staffing is one hourly employee with anticipated annual costs of \$81,000. The contract with TelePsych, Inc. has anticipated total 2012 costs of \$234,000 based on \$135/hour for every hour worked not to exceed 40 hours per week. The Sheriff's Office will continue to seek additional psychiatric care for the detention facilities which is anticipated would be equal to the amount budgeted for 2012. Therefore, there are no cost savings anticipated with this contract.

Department/Prepared By Molly Pahl, Fiscal Operations Manager

Authorized Signature

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Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 45) From the Sheriff, requesting authorization to apply for and accept, if awarded, \$32,000 in homeland security grant funding from the State of Wisconsin Office of Justice Assistance to provide two Tactical Team Leader Courses provided by the National Tactical Officers Association, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the grant funding would be used to enhance the response preparedness for the SWAT team for tactical situations including active shooter response, barricaded situations and hostage rescue situations and enhance leadership capabilities for the above listed situations and other threats unknown from a leadership development perspective; and

WHEREAS, under Chapter 99 of the County Ordinances and Wisconsin State Statute 323, the Emergency Management Division of the Office of the Sheriff has certain responsibilities in the preparation, mitigation, response, and recovery of emergency situations; and

WHEREAS, the State annually offers opportunities for counties to apply for federal and state homeland security grant dollars to assist with meeting these responsibilities; and

WHEREAS, Homeland Security grant opportunities that are designated for Milwaukee County available now from the State of Wisconsin Office of Justice Assistance include funding of \$32,000 to provide two Tactical Team Leader Courses provided by the National Tactical Officers Association; and

WHEREAS, these funds will be used to host two classes of thirty officers from the member agencies within the ALERT (Aligned Law Enforcement Response Team) program under OJA of which the Milwaukee County Sheriff's Office is a member and it is anticipated that \$28,000 of funds will be spent on tuition and \$4,000 will be spent on lodging and meals; and

WHEREAS, of the thirty officers in attendance, the Office of the Sheriff is anticipating three to four Deputy Sheriffs from Milwaukee County will attend; now, therefore,

BE IT RESOLVED, that the Office of the Sheriff is hereby authorized to apply for and accept, if awarded homeland security grant funding of \$32,000 from the State of Wisconsin Office of Justice Assistance to be used to provide two (2) Tactical Team Leader Courses.

03/09/12
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/16/10

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: From the Office of the Sheriff requesting to apply for and accept homeland security grant funding from the State of Wisconsin Office of Justice Assistance in the amount of \$32,000 to be used to provide two Tactical Team Leader Courses

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input checked="" type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
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Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	32,000	
	Revenue	32,000	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

From the Sheriff, requesting to apply for and accept, if awarded, a \$32,000 grant to be used to provide two (2) Tactical Team Leader Courses

An appropriation transfer request will be submitted for consideration, once the grant is awarded, to the Committee on Finance and Audit to recognize the grant revenue and establish expenditure authority of \$32,000. It is anticipated that \$28,000 of funds will be spent on tuition and \$4,000 will be spent on lodging and meals. There is no local match to the funding and therefore no tax levy impact.

Department/Prepared By Molly Pahl, Fiscal Operations Manager

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Supervisor Gerry Broderick, Chairperson
By the Committee on Parks, Energy and Environment reporting on:

File No. 12-255

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2
3 (ITEM 46) A resolution by the Committee on Parks, Energy and Environment to accept and
4 adopt the Department of Parks, Recreation and Culture's 5-year Capital Development Plan
5 submitted to address recommendations on deferred maintenance as stated in the Audit "A
6 Tale of Two Systems, Three Decades of Declining Resources Leave Milwaukee County
7 Parks Reflecting the Best and Worst of Times", by recommending adoption of the
8 following:

9
10 **A RESOLUTION**

11
12 WHEREAS, a capital development plan (CDP) is a roadmap that provides direction
13 and guidance on planning and managing capital and infrastructure assets; and

14
15 WHEREAS, the Department of Parks, Recreation and Culture's (DPRC's) 5-year CDP
16 is intended to present a realistic projection of anticipated capital needs with consideration
17 given to project scheduling, fiscal and manpower constraints; and

18
19 WHEREAS, DPRC's 5-year CDP contains a wide range of projects that reflect the
20 highest priority infrastructure needs based on available financial resources for the next five
21 years; and

22
23 WHEREAS, the plans calls for an expenditure of \$75 million over the 5-year CDP
24 period; and

25
26 WHEREAS, it is anticipated that this plan will be reviewed and updated annually;
27 now, therefore,

28
29 BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby
30 approve and adopt the Department of Parks, Recreation and Culture's 5-year Capital
31 Development Plan. A copy of the plan is attached hereto as Exhibit A and is incorporated
32 as if set forth in full by this reference.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: March 13, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution adopting a Department of Parks, Recreation and Culture's 5-Year Capital Development Plan

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
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Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this resolution will adopt the 5-year capital development improvement plan that was assembled by the Department of Parks, Recreation and Culture.

For the purposes of this fiscal note, this resolution endorses the capital improvement plan but does not obligate funds to carry out its objectives. The Plan proposes \$15 million per year for capital improvements for a five-year period totaling \$75 million. The County Executive/County Board will consider each annual capital improvement budget as a separate resolution over the five-year period. This resolution does not bind policymakers in adopting different amounts in the annual capital improvement budget during the five-year period.

Approval of this resolution, therefore, has a \$0 fiscal impact.

Department/Prepared By Steve Cady, Fiscal and Budget Analyst, County Board

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: February 21, 2012

To: Supervisor Lynne De Bruin, Vice Chair, Committee on Finance and Audit
Supervisor Gerry Broderick, Chairman, Committee on Parks, Energy and Environment

From: Jerome J. Heer, Director of Audits

Subject: Status Report - Audit of Parks Infrastructure (File No. 10-52)

At its meeting on January 28, 2010, the Finance and Audit Committee referred our audit report, "A Tale of Two Systems: Three Decades of Declining Resources Leave Milwaukee County Parks Reflecting the Best and Worst of Times," to the Committee on Parks, Energy and Environment regarding Audit recommendations and also to the Parks Department for a status report in April 2010 on the implementation of the recommendations. Subsequent status reports also were provided to your respective committees for the October 2010 and the March and September 2011 meeting cycles.

Parks management's current response to the seven audit and policy-related recommendations is interspersed throughout its 5-Year Capital Request report under separate sections devoted to each recommendation. Also included in the report is a copy of our form "Status of Implementing Department of Audit Report Recommendations" containing our recommendations and prior responses from Parks.

Based on past and present comments and initiatives undertaken by Parks management, we believe all recommendations not related to building assessments have been adequately addressed.

We will continue to monitor Parks implementation of recommendations relating to building assessments through our follow-up of the Countywide building assessment issues contained in our audit report "Milwaukee County Needs to Commit to a Preventive Repair & Maintenance Program to Ensure Public Safety."

It should be noted that we have not reviewed the information contained in the Parks 5-year Capital Request report for accuracy or propriety.

This report is informational.


Jerome J. Heer

JJH/PAG/cah

Attachment (See Legistar File INF 12-255 to view copy of 256 page report).

cc: Finance and Audit Committee Members
Parks, Energy and Environment Committee Members
Chris Abele, Milwaukee County Executive
Sue Black, Director, Department of Parks, Recreation & Culture
Pat Farley, Director, Department of Administrative Services
Terrence Cooley, Chief of Staff, County Board Staff
Steve Cady, Fiscal & Budget Analyst, County Board Staff
Glenn Bultman, Research Analyst, County Board Staff
Carol Mueller, Chief Committee Clerk, County Board Staff
Linda Durham, Committee Clerk, County Board Staff

1 Supervisor Gerry Broderick, Chairman
2 From the Committee on Parks, Energy and Environment, reporting on:

3
4 File No. 12-288

5
6 (ITEM 47) A resolution by Supervisors Johnson, Mayo, Broderick, Harris, Jursik,
7 Sanfelippo, Cesarz, Dimitrijevic and Haas requesting that the green space area of
8 Carver Park that is north of Brown Street, be renamed the James W. Beckum Park in
9 honor of the founder of the Beckum-Stapleton Little League baseball program and local
10 community leader, by recommending adoption of the following:

11
12 **A RESOLUTION**

13
14 WHEREAS, James W. Beckum is a well-respected community figure who has
15 served Milwaukee County youth by founding and maintaining the Beckum-Stapleton
16 Little League, which is the longest running baseball league for African-American
17 children in the United States; and

18
19 WHEREAS, Mr. Beckum started his baseball career in 1950 with the Negro
20 Leagues as well as in the Milwaukee County adult leagues, and after serving in the
21 military returned to baseball to play for the East St. Louis Giants from 1954 to 1956; and

22
23 WHEREAS, Mr. Beckum established his first Little League teams in 1964 with
24 the sponsorship of Milwaukee County's Greater Galilee Baptist Church, New Hope
25 Baptist Church, Incarnation Lutheran Church, St. Mark's AME Church, and Metropolitan
26 Missionary Baptist Church and the Barbershop Association in 1965; and

27
28 WHEREAS, the Beckum Little League merged with the Stapleton League in
29 1965, and the Beckum-Stapleton Little League received its first charter from the
30 International Little League in 1965 in Williamsport, Pennsylvania; and

31
32 WHEREAS, the Beckum-Stapleton Little League played their games all over the
33 north side of Milwaukee County in various parks, until former County Supervisor Clinton
34 Rose assisted in establishing Carver Park as the official home park for the league; and

35
36 WHEREAS, Carver Park continued to expand and evolve with the inclusion of
37 better baseball and tee ball fields, an indoor training facility, and a field with a minor
38 league pitching machine; and

39
40 WHEREAS, the Beckum-Stapleton Little League demonstrated a commitment to
41 inclusiveness and community involvement by establishing the Beckum-Stapleton
42 Woman's Auxiliary group to help promote the league by organizing various events and
43 fundraising activities; and

44
45 WHEREAS, Mr. Beckum was recognized for his efforts by the State of Wisconsin
46 declaring February 21, 2004 as James W. Beckum Day because of his hugely positive

47 impact in the community for keeping hundreds of Milwaukee County youth “off the
48 streets” and getting young people involved in a constructive and healthy activity for over
49 40 years; and

50

51 WHEREAS, Mr. Beckum has served the Beckum-Stapleton Little League and
52 Carver Park in every capacity including maintaining the cleanliness and grooming of the
53 baseball fields and repairing park structures, in addition to serving as a coach and
54 confidence-building mentor during his tenure as director of the league; and

55

56 WHEREAS, the community surrounding Carver Park as well as youth from all
57 over the Milwaukee area have benefited from the efforts of Mr. Beckum as he has
58 stayed true to his motto, “To promote, develop, supervise, and voluntarily assist in all
59 lawful ways, the interest of those who will participate in Little League and Softball;” and

60

61 WHEREAS, this area of Carver Park is the appropriate location to consider
62 renaming in honor of James W. Beckum due to his continued presence as a favorable
63 community figure whose deep affiliation with Carver Park over the years has given the
64 park a positive image and perception, and made it an environment that promotes
65 structured, supervised recreation; and

66

67 WHEREAS, Carver Park would remain as the name for the area of the park that
68 is south of Brown Street, with respect to the townhomes, housing, and other
69 establishments in the area that retain the name Carver and use the park as a directional
70 landmark; and

71

72 WHEREAS, adopted Milwaukee County Resolution 75-732 requires approval by
73 the Board of Supervisors before any name be assigned to or any change in the name
74 be made to any County institution, building, or facility; now, therefore,

75

76 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
77 approves renaming the portion of Carver Park located north of Brown Street, the James
78 W. Beckum Park in honor and recognition of former Negro League player and founder
79 of the Beckum-Stapleton Little League, and authorizes and directs the Director of the
80 Department of Parks, Recreation and Culture to take all necessary steps in
81 implementing this resolution.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/27/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution to rename the section of Carver Park that is North of Brown Street the James W. Beckum Park, in honor of respected Milwaukee County resident James W. Beckum

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input checked="" type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
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Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this resolution will rename a portion of Carver Park north of Brown Street after Mr. James W. Beckum because of his many years of dedication to the youth of Milwaukee County and the strong community ties the team has with Carver Park. The area south of Brown Street will remain as Carver Park due to its close proximity to neighborhood landmarks and housing that bear the name Carver, in which Carver Park serves as a directional landmark for that area.

The fiscal impact associated with this action will be in the range of \$450-\$550, which is the approximate cost for the new signage that would be required to identify the area as James W. Beckum Park.

Parks Administration indicates that they will identify a funding source for the new park sign within the agency's budget, although it has not yet been determined which account will be tapped into for available funds.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Jessica Janz-McKnight

Authorized Signature



Did DAS-Fiscal Staff Review?

Yes

No

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(ITEM 48) From the Director of Administrative Services requesting authorization to have the County Conservationist apply for and accept Wisconsin Department of Agriculture, Trade and Consumer Protection support grants for fiscal year 2013, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) has made funds available to County Land Conservation Committees charged with the duties of land conservation and protection; and

WHEREAS, in Milwaukee County these duties are assigned to the Parks, Energy and Environment Committee and to DAS-AE & ES Section; and

WHEREAS, the purpose of these funds is to help defray the costs of the activities of the Land Conservation Department and will be used to partially offset the salary, training and office expenses of the County Conservationist's office and implement goals identified in the updated County Land and Water Resource Management Plan; now, therefore,

BE IT RESOLVED, that the County Board of Supervisors does hereby authorize and direct the Director of Administrative Services to have the County Conservationist apply for and accept a grant from the Department of Agriculture, Trade and Consumer Protection for partial funding of the County Conservationist's office for the 2013 fiscal year.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: January 31, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: 2013 DATCP Staffing and Cost-share Grant for Land Conservation Activities

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input checked="" type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input checked="" type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		95,000
	Revenue		95,000
	Net Cost		0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The DAS Director is requesting authorization to have the County Conservationist apply for and accept a staffing and cost share grant from DATCP to support Milwaukee County Land Conservation activities in 2013. The grant will be for \$95,000; \$75,000 to support staff expenses and \$20,000 to support cost share opportunities which help the County meet its conservation objectives as stated in the updated LWRMP.

B. This action will not affect the current budget year. The grant would be used to offset staffing costs of the Land Conservation Department in 2013.

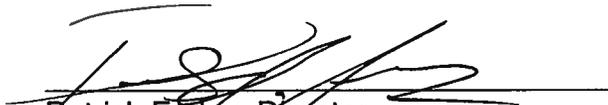
C. This action will not affect the current budget year.

D. The grant amount was assumed based on past grants. An application will be filled out, if approved, and the Department of Agriculture, Trade and Consumer protection will determine the exact grant amount.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Tim Detzer, P.E., Environmental Engineer

Approved by:


Patrick Farley, Director
Dept. of Administrative Services


Greg High, Director
DAS-AE&ES

Did DAS-Fiscal Staff Review?

Yes

No

Reviewed With:

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(ITEM 49) From the Director of Administrative Services requesting authorization to extend Professional Service Contracts with SCS BT Squared for the operation and maintenance of the landfill gas control systems at Doyne Park and Franklin Landfill, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Milwaukee County owns a former landfill in the City of Franklin that was closed in 1981, and a former landfill under what is now Doyne Park that was closed in 1976; and

WHEREAS, the former landfill sites presented environmental and public health concerns due to their generation of landfill gas and leachate; and

WHEREAS, the Wisconsin Department of Natural Resources required Milwaukee County to install, operate and maintain landfill gas control systems at the former landfill sites in order to comply with Chapters. NR500 to 520 Wis. Adm. Code; and

WHEREAS, the County Board, in late 1996, authorized construction of the gas collection and venting system for the Doyne Park landfill and, in early 1997, authorized construction of the gas collection and flare system, landfill cap and vegetative cover for the Franklin landfill; and

WHEREAS, Milwaukee County has continued to effectively operate and maintain the gas control systems since 1998 with the assistance of professional service contractors; and

WHEREAS, in January of 2011, Milwaukee County selected SCS BT Squared through the Request for Proposal process from a field of four (4) firms as being the most capable of performing the operation and maintenance (O&M) functions at both the Franklin Landfill and Doyne Park Landfill for one year ending December 31, 2011; and

WHEREAS, the contract provides for two one-year extensions if the services were performed adequately; and

WHEREAS, BT Squared (now SCS BT Squared) has satisfactorily performed their O&M activities for the year ending December 31, 2011; and

WHEREAS, at its March 6, 2012 meeting, the Committee on Parks, Energy and Environment recommended approval of the said request; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes the Director of Administrative Service to extend the existing contract with SCS BT Squared to operate and maintain the remediation systems at the Franklin Landfill and Doyne Park landfill a maximum of two one-year extensions not to exceed December 31, 2013, under the condition that the consultant performs the work adequately and the contract extensions for the established scope of work does not exceed \$290,000 for the sum total of both contracts combined.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/02/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: O&M of the Landfill Gas Systems at Doyme Park and Franklin Landfill

FISCAL EFFECT:

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|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	98,851	110,000
	Revenue		0
	Net Cost		0
Capital Improvement Budget	Expenditure	0	0
	Revenue		
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. Requesting approval to extend professional services contracts for two years for the operation and maintenance (O&M) of gas control systems at two closed landfills.

B. Direct costs include the consultant/contractor fees of approximately \$208,851 for two years is based on their proposal and past experience with the operation and maintenance of these systems.

C. The contract amounts will be funded from existing operating budget accounts set up for this purpose. The amount in the accounts is sufficient to offset the cost of the requested action.

D. None.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By DAS-Environmental Services, Sean Hayes, PE

Approved by:


Patrick Farley, Director
Department of Administrative Services


Greg High, Director
DAS-AE&ES

Did DAS-Fiscal Staff Review?

Yes

No

Reviewed With:

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(ITEM NO. 50) From the Director, Department of Parks, Recreation and Culture, requesting authorization to execute the exchange of lands in and near Falk Park, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Milwaukee County Board adopted Resolution File No. 11-62 which authorized the Parks Director, the Department of Transportation and Public Works, Risk Management, Corporation Counsel, and Register of Deeds to prepare and review all documents, and perform all actions as required to negotiate land transfers, related easements and Land and Water Conservation Fund (LAWCON) program procedures and requirements and report back to the Committee on Parks, Energy and Environment for final approval; and

WHEREAS, as authorized, the Department of Parks, Recreation and Culture (DPRC) has continued to negotiate the land transfers and implement the LAWCON program procedures to help achieve its goal of acquiring and protecting the significant natural resources of Esch Honadel Woods; and

WHEREAS, to implement these land transfers and easements the County must also receive approvals from the National Park Service (NPS) and the Wisconsin Department of Natural Resources (WDNR) to convert the restrictions placed on the County property through previous LAWCON funding to the properties being acquired; and

WHEREAS, the approval by NPS and WDNR is generally based upon a determination that the parcels to be converted have equivalent or greater functional value and monetary value, and are not compromised by significant environmental problems; and

WHEREAS, the proposed land exchanges would result in the County receiving in excess of 1.5 acres of significant natural area for each acre that it conveys; and

WHEREAS, appraisals were commissioned for all involved properties to document their functional and monetary values per the LAWCON requirements; and

WHEREAS, the proposed land exchanges would result in the County receiving properties valued in excess of the value of the lands that it conveys; and

WHEREAS, Milwaukee County DAS A&E & ES staff have completed a Phase 1 environmental assessment of all parcels proposed to be acquired by Milwaukee County and found no issues of concern; and

WHEREAS, with approval by the NPS and with DPRC's compliance with its conditions, the County will be able to exchange the various properties; and

WHEREAS, if authorized, DPRC will continue negotiations with these property owners

47 and if successful will execute the required deeds, easements and other documents to acquire or
48 transfer these land rights as appropriate; and

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50 WHEREAS, prior to execution, DPRC, DAS, Corporation Counsel and Risk
51 Management will review and approve all documents as required; and

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53 WHEREAS, Resolution No 11-62 further stated that upon approval by the County
54 Board, the County Executive and County Clerk are authorized to execute the deeds, easements
55 and any other required documents; and

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57 WHEREAS, the Parks Director has recommended that the authority to prepare, review,
58 approve, execute and record all documents as required to execute the proposed land exchanges
59 and easements be granted to the Parks Department, the Department of Administrative Services,
60 Corporation Counsel, Risk Management, County Clerk, Register of Deeds, and the County
61 Executive; now, therefore,

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63 BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby
64 authorize the Parks Director, the Department of Administrative Services, Risk Management,
65 Corporation Counsel, and Register of Deeds to prepare, review, approve, execute and record all
66 documents, and perform all actions as required to grant, execute and implement these land
67 transfers, related easements and LAWCON program procedures and requirements; and

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69 BE IT FURTHER RESOLVED, that the County Executive and County Clerk are
70 authorized to execute the deeds, easements and any other required documents.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 22, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Falk Park Land Transfers

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

In February of 2011 the Milwaukee County Board authorized a Resolution File No. 11-62 which authorized the Parks Director, the Department of Transportation and Public Works, Risk Management, Corporation Counsel, and Register of Deeds to prepare and review all documents, and perform all actions as required to negotiate land transfers, related easements and LAWCON program procedures and requirements and report back to the Committee on Parks, Energy and Environment for final approval.

DPRC has continued to negotiate the land transfers and implement the Land and Water Conservation Fund (LAWCON) program procedures to help achieve its goal of acquiring and protecting the significant natural resources of Esch Honadel Woods. To implement these land transfers and easements the County must also receive approvals from the National Park Service (NPS) and the Wisconsin Department of Natural Resources (WDNR) to convert the restrictions placed on the County property through previous LAWCON funding to the properties being acquired.

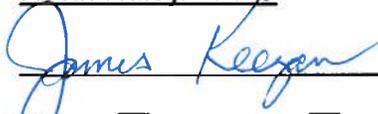
The approval by NPS and WDNR is generally based upon a determination that the parcels to be converted have equivalent or greater functional value, monetary value and are not compromised by significant environmental problems. The proposed land exchanges would result in the County receiving in excess of 1.5 acres of significant natural area for each acre that it conveys. Appraisals were commissioned for all involved properties to document their monetary and functional values per the LAWCON requirements. The proposed land exchanges

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

would result in the County receiving properties valued in excess of the value of the lands that it conveys. Milwaukee County DAS Environmental Services staff has completed a Phase 1 Environmental Assessment of all parcels proposed to be acquired by Milwaukee County and found no issues of concern. With approval by the County Board and NPS and compliance with its conditions, the County will be able to exchange the various properties. No County funding will be needed to complete these transactions.

Department/Prepared By Kevin Haley/DPRC

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

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(ITEM NO. 51) From the Director, Department of Parks, Recreation and Culture requesting authorization to amend Milwaukee County's 2006 lease agreement with Hunger Task Force, Inc. to provide for Hunger Task Force assuming operational control of the Fish Hatchery's daily operations on a long term basis, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 2006 Milwaukee County entered into a long-term lease agreement (Lease) with Hunger Task Force, Inc. (HTF) permitting HTF to farm agricultural land adjacent to and surrounding Milwaukee County's Fish Hatchery; and

WHEREAS, as part of the Lease, HTF operates a warehouse and greenhouse, and distributes annually a minimum of 200,000 pounds of produce harvested at the farm to Milwaukee County food pantries, homeless shelters and soup kitchens; and

WHEREAS, the harvested food also supports HTF's stock box program, which provides pre-packaged boxes of supplemental foods to low-income seniors; and

WHEREAS, in 2011, to further its mission and to create a model farm that becomes accessible to the public for educational purposes, volunteering and tours, HTF expressed an interest in assuming operational control of the Fish Hatchery; and

WHEREAS, Milwaukee County's 2012 adopted operating budget provides that DPRC lead a workgroup, comprised of representatives from the Department of Administrative Services, Real Estate Staff, Corporation Counsel, Office of the Sheriff and County Board Staff, to enter into discussions with HTF on the specifics of a lease arrangement beneficial to HTF and Milwaukee County, whereby HTF would assume operational control of the Fish Hatchery; and

WHEREAS, the proposed lease is to address all components of operating the Farm and Fish Hatchery including, but not limited to, staffing, land utilization, commodity distribution and building maintenance and repair; and

WHEREAS, the proposed lease is also to address early termination clauses by either party in the event that should need to occur; and

WHEREAS, DPRC has met on several occasions with HTF to negotiate an amendment to the 2006 Lease; and

WHEREAS, the negotiations have addressed each of the items required in the 2012 budget language; and

WHEREAS, the DPRC led workgroup has reached a consensus on the terms and conditions of the amendment (*attached*); and

47 WHEREAS, Milwaukee County will continue to receive the past tangible benefits
48 produced at the Farm and Fish Hatchery, specifically pumpkins, fire wood, and fish; now,
49 therefore,

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51 BE IT RESOLVED, that the Director of the Department of Parks, Recreation and Culture
52 is hereby authorized to amend Milwaukee County's 2006 lease agreement with Hunger Task
53 Force, Inc. to provide for Hunger Task Force assuming operational control of the Fish
54 Hatchery's daily operations on a long term basis.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 29, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Amendment to Milwaukee County's 2006 Lease Agreement with Hunger Task Force, Inc. to provide for Hunger Task Force Assuming Operational Control of the Fish Hatchery's Daily Operations.

FISCAL EFFECT:

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| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input checked="" type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input checked="" type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. Request to enter into an amendment to Milwaukee County's 2006 lease agreement with the Hunger Task Force to provide for Hunger Task Force assuming operational control of the Fish Hatchery.

B. Hunger Task Force will assume all operational costs, including utilities, maintenance and repair responsibilities at the Farm and Fish Hatchery. Hunger Task Force will also continue to provide Milwaukee County with the past tangible benefits produced at the Farm and Fish Hatchery.

C. No Impact.

D. None

Department/Prepared By Paul Kuglitsch, Contract Services Officer

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No X

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

1 Supervisor Michael Mayo, Sr., Chairperson,
2 By the Committee on Transportation, Public Works, and Transit, reporting on:

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File No. 12-225

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6 (ITEM NO. 52) A resolution to **RECEIVE AND PLACE ON FILE** (vote 6-0), an
7 informational report from America’s Black Holocaust Museum dated February 2012,
8 regarding an exhibit at General Mitchell International Airport (GMIA).

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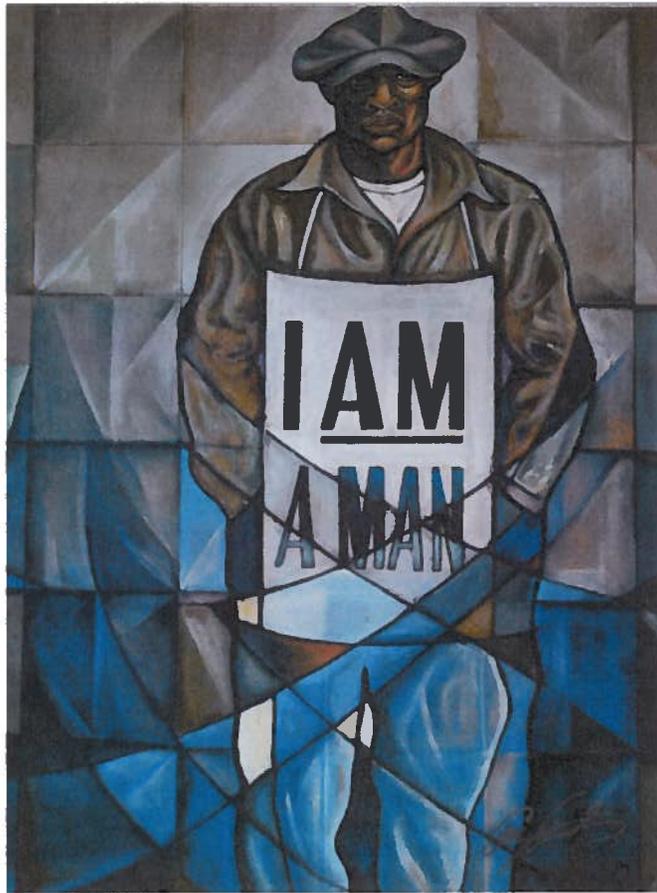
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America's Black Holocaust Museum

General Mitchell International Airport Exhibit Proposal



February 2012

Committee on Transportation, Public Works & Transit

Activity: Creating a standing exhibit at General Mitchell International Airport by America's Black Holocaust Museum (ABHM) to serve as a proud example of Milwaukee's rich and diverse history.

Purpose: To showcase Multiculturalism and promote ABHM.

Theme: A welcoming exhibit highlighting the diversity of Wisconsin through the contributions of notable figures advancing this cause from all walks of life.

Timing: Exhibit opening May/June 2012. Duration is flexible. Exhibit themes and content will be updated twice per year.

Funding: ABHM will cover the costs of research and content. ABHM will request the County of Milwaukee to provide space, electricity and help host a modest kickoff event at the Airport exhibit site.

Description

The ABHM will selectively comb through its archives to develop exhibits that will show foreign and domestic visitors to Mitchell Airport the history and contributions primarily of African Americans and others who were committed to Multiculturalism. The benefit of such an exhibit is it gives us who live in the County and beyond an opportunity to factually frame and present our unique common experience. Furthermore, it will positively punctuate the continuing challenge of our changing demographic.

Benefit

The exhibit will provide visitors and residents an opportunity to share in our collective history and culture.

Logistics

We are seeking an exhibit space of least 150 square feet. The exhibit will consist primarily of panels with photos, art and historical captions. TV monitors with looped DVD's will tell these stories on film. To make the exhibit interactive, computer monitors with our new website and links to associated websites will be available for visitors whose interest run deeper.

Concept Narrative

Wisconsin has a history of activism and self-determination through the efforts of people from diverse backgrounds and experiences coming together. The legacy of Dr. James Cameron, the only known survivor of a lynching, and subsequently the ABHM, has been and continues to be a point of interest locally, nationally and internationally. The closing of the museum shortly following the death of its founder was a great loss to the community as a whole. In the past year there has been an enlivened group of individuals and organizations committed to reviving the museum as a symbol of our collective ability to overcome even our most intractable challenges. In addition to the proposed installation at General Mitchell International Airport, the museum is in the development stage with multiple institutions around the city for which similar exhibits will be on display. It is our hope that the exhibit at the Mitchell Airport will be the flagship. Earlier this month, in honor of Dr. Cameron's birthday, February 25, the museum launched the first phase of the America's Black Holocaust Virtual Museum. Our vision for the General Mitchell International Airport exhibit is to feature a kiosk from which the virtual museum can be experienced and accented by a backdrop of artifacts from the actual museum's archives. The America's Black Holocaust Museum exhibit at General Mitchell International Airport could serve as an extraordinary addition to the already impressive renovation that is a powerful reflection of our past, present and future. This is a concept that could provide a great service to the City, County, State, Country and the World.

Summary

The opportunity to showcase the ABHM collection at one of Wisconsin's premiere gateways is exciting. This appears to be a big win for the State of Wisconsin and its gateway visitors. This is a chance to frame our own story and show the growing pains and subsequent triumphs metropolitan areas must endure to become great as Milwaukee County continues to be.

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(ITEM NO. 53) A resolution to **RECEIVE AND PLACE ON FILE** (vote 6-0), a status informational report from the Department of Audit dated February 21, 2012, regarding the audit titled "Milwaukee County Needs to Commit to a Preventive Repair and Maintenance Program to Ensure Public Safety."

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COUNTY OF MILWAUKEE
Inter-Office Communication

Date: February 21, 2012

To: Lynne De Bruin, Vice Chair, Committee on Finance and Audit
Michael Mayo, Chair, Committee on Transportation, Public Works & Transit

From: Jerome J. Heer, Director of Audits

Subject: Status Report – Audit of County Preventive Maintenance Program (File No. 10-389)

At its meeting on October 28, 2010, the Committee on Finance and Audit passed a motion to refer our audit report "Milwaukee County Needs to Commit to a Preventive Repair & Maintenance Program to Ensure Public Safety," to the Committee on Transportation, Public Works and Transit to "read the response from Public Works and develop a plan to move forward."

At the Committee on Transportation, Public Works and Transit meeting on January 19, 2011, a motion to receive and place the report on file was approved. Additionally, the Committee Chair directed that a report be brought back in six months on the progress of the inspections, recommendations for the 2012 budget, and a list of all 902 County buildings. In response to this directive, the Department of Transportation and Public Works (DTPW) submitted a report dated August 22, 2011, to your respective committees.

Additionally, a status report describing DTPW's progress toward implementation of our audit report recommendations was reviewed by both your committees during the September 2011 meeting cycle.

DAS management describes its recent efforts and plans to implement the outstanding recommendations in the current status report, attached for your review. As noted in the report, the majority of the recommendations remain outstanding due to funding challenges and to an extent, the long-range nature of some of the recommendations.

This status report is informational.


Jerome J. Heer

JJH/PAG/cah

Attachment

cc: Finance and Audit Committee Members
Transportation, Public Works and Transit Committee Members
Chris Abele, Milwaukee County Executive
Patrick Farley, Director, Department of Administrative Services
Terrence Cooley, Chief of Staff, County Board Staff
Steve Cady, Research Analyst, County Board Staff
Martin Weddle, Research Analyst, County Board Staff
Carol Mueller, Chief Committee Clerk
Jodi Mapp, Committee Clerk, County Board Staff

STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS

Audit Title: Milwaukee County Needs to Commit to a Preventive Maintenance Program to Ensure Public Safety

File Number: 10-389

Audit Date: October 2010

Status Report Date: February 16, 2012

Department: Transportation & Public Works

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	

1. Draft a policy, for County Board consideration, establishing minimum standards for assessing, inspecting and maintaining proper building conditions.					Yes	No	<p>August 2011 Response: A policy appears to already be in place. Section 56.20 of the County Ordinances states "Administration of all public works projects shall be the function of and centralized in the Department of Transportation and Public Works". Administration is defined to include "establishment of a program for maintaining structural integrity of all capital improvements and routine major maintenance." Based on existing County Ordinance Section 56.20, DTPW staff is developing a DTPW Director mandated county-wide annual building inspection program for "maintaining structural integrity of all capital improvements and routine major maintenance."</p> <p>In the 2011 Adopted Budget 5 skilled trade positions (Inspection Unit) were created in the DTPW Director's Office but not funded for Building Inspections. Once this DTPW inspection team has been assembled, they will visit all County facilities on an annual basis using a recently developed "Inspection Manual for Building Components and Other Structures". The inspections performed by this unit would take into account the VFA data, as well as pending capital requests for each building. The Property Management (PM) Units will be provided a list of deficiencies that the inspectors have found on each building. This notification process would provide a record of current building condition, and highlight the immediate necessary remedies that would make sure public safety is not compromised. Inspection reports will be generated and submitted to the PM Units with the directive to implement any repair or removal of imminent threat to employee or public safety. If, upon revisiting the facilities, the directed repair or removal of imminent threats has not been completed, a report to the County Board will be generated.</p>
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STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS

Audit Title: Milwaukee County Needs to Commit to a Preventive Maintenance Program to Ensure Public Safety

File Number: 10-389

Audit Date: October 2010

Status Report Date: February 16, 2012

Department: Transportation & Public Works

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
							<p>Concurrently, DTPW recognizes that PM Units will want to be proactive in confirming that the buildings they are responsible for maintaining are in compliance. In January of each year, all PM Units will be required to submit to the Director of DTPW a copy of an inspection checklist that they completed for each appropriate building and/or structure for which they are responsible. A listing of buildings will be established with and for each PM Unit. A similar process will be established for all County buildings leased, operated and maintained by third parties</p> <p><u>February 2012 Response:</u></p> <p>The policy required for establishing minimum standards for assessing, inspecting and maintaining proper building conditions is in place.</p> <p>In the February 2012 committee cycle, the County Board approved revisions to Chapters 44 and 56 of the Code of Ordinances as it pertains to contract of a public works nature based on the provisions of the 2012 Adopted Budget. As a result, based on existing County Ordinance Section 56.20, DAS-Facilities Management Division (DAS-FM) staff is developing a DAS Director mandated county-wide annual building inspection program for "maintaining structural integrity of all capital improvements and routine major maintenance."</p>

STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS

Audit Title: Milwaukee County Needs to Commit to a Preventive Maintenance Program to Ensure Public Safety

File Number: 10-389

Audit Date: October 2010

Status Report Date: February 16, 2012

Department: Transportation & Public Works

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
2. Request sufficient funding to perform proactive, cyclical assessments and inspections of County-owned infrastructure assets.					Yes, assuming future budgets include required funding.		<p>August 2011 Response: In 2010, DTPW requested and received funding of \$1.6 million in the adopted 2011 Capital Budget to assess the condition of all County facilities that had not yet been included in DTPW's existing Building Inventory and Assessment Program (VFA). \$1.2 million was provided from the UWM land sale revenue and \$400,000 was provided from various airport accounts for airport facilities. Building assessment tasks at the airports are ongoing. All other assessments have been delayed due to a delay in receipt of the funding revenue from land sales.</p> <p>The process of performing assessments and inspections is the first step in understanding the extent of building condition. From the inspection, a determination must be made regarding the severity of the structural condition and the immediacy of the repair. Therefore, in terms of establishing funding for assessments and inspections, the process must be broken down into three parts; building assessment and inspection, cost of repair and the timeframe for repair. This must be done for interior as well as exterior assessments.</p> <p>DTPW is proposing an Inspection Unit identified earlier. This unit will inevitably refine the inspection and assessment process over time producing better cost estimating for such services. In the mean time, establishing a cost base line for cyclical assessments and inspections will be based on recent work performed by the façade inspections done county owned buildings. Costs for façade evaluations are expected to be \$350,000 to \$400,000 annually based on inspections required by City ordinances. Necessary repairs needed based on inspection findings are difficult to estimate given the variety of building materials and their costs and the</p>

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							<p>extent of the needed repair.</p> <p>Interior evaluations could be performed for a cost of roughly \$150,000 to \$200,000 annually assuming 120 buildings would be inspected once every 5 years. This level of analysis would be done using the expertise of the inspection unit with necessary repair work being the responsibility of the owner department.</p> <p><u>February 2012 Response:</u></p> <p>ORGANIZATIONAL CHANGES BEING IMPLEMENTED</p> <p>In the 2011 Adopted Budget, 5 skilled trade positions (Inspection Unit) were created in the DTPW Director's Office but not funded for Building Inspections. In the 2012 Adopted Budget these positions remain unfunded in the budget of the Director of the Department of Transportation (DOT). These positions will be reallocated to DAS-Facilities Management Division in 2013. Also in the 2012 Adopted Budget certain significant organizational changes within DAS were approved that are currently being implemented. This involves filling newly created positions of the DAS-FM Director, the Director of the Sustainability Section of DAS-FM and the Manager of the Facilities Maintenance Section of DAS-FM as well as the existing position of Mechanical Services Manager. Some of these positions are in the process of recruitment and others are proceeding through the HR process. Filling of supervisory skilled trade positions now vacant due to retirements is also ongoing but finding qualified candidates is taking significantly more time than anticipated due to several factors including uncertainty of the County's fiscal status and labor relations and competition with the private sector.</p>
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							<p>Anticipating that these leadership positions will be filled by mid-year, the department plans to further formalize the "Inspection Unit" concept that requires visiting all County facilities on an annual basis using a recently developed "Inspection Manual for Building Components and Other Structures". This was described in the 8/22/11 DTPW report and 8/30/12 Audit report to the County Board. These revisions may delay the implementation of this concept but a more centralized and efficient inspection program will result.</p> <p>On a related initiative, per the 2012 Adopted Budget, DAS-FM is in the process of negotiating a contract with consulting firm of CB Richard Ellis to deliver a Comprehensive Facilities Plan for County buildings.</p> <p>Reallocation of existing or additional fiscal resources may be required for further implementation in the 2013 budget .</p> <p>In the interim, DAS-FM is emphasizing to PM Units that they need to be proactive in confirming that the buildings they are responsible for maintaining are in compliance. In January of each year, all PM Units will be required to submit to the Director of DAS-FM a copy of an inspection checklist that they completed for each appropriate building and/or structure for which they are responsible. A listing of buildings will be established with and for each PM Unit. A similar process will be established for all County buildings leased, operated and maintained by third parties.</p> <p>OUTCOME AND STATUS OF RECENT ASSESSMENTS AND INSPECTIONS OF COUNTY-OWNED INFRASTRUCTURE ASSETS</p>
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							<p>The process of performing assessments and inspections is the first step in understanding the extent of building condition. From the inspection, a determination must be made regarding the severity of the structural condition and the immediacy of the repair. Therefore, in terms of establishing funding for assessments and inspections, the process must be broken down into three parts; building assessment and inspection, cost of repair and the timeframe for repair. This must be done for interior as well as exterior assessments.</p> <p><u>Building Inventory and Assessment Program (VFA)</u></p> <p>In 2010, DTPW requested and received funding of \$1.6 million in the adopted 2011 Capital Budget to assess the condition of all County facilities that had not yet been included in DTPW's existing Building Inventory and Assessment Program (VFA). \$1.2 million was provided from the UWM land sale revenue and \$400,000 was provided from various airport accounts for airport facilities. Building assessment tasks at the airports are ongoing. All other assessments have been delayed due to a delay in receipt of the funding revenue from land sales.</p> <p><u>Annual Budget Allocation</u></p> <p>DAS-FM is proposing an Inspection Unit as identified above. This unit will inevitably refine the inspection and assessment process over time producing better cost estimating for such services. In the mean time, establishing a cost base line for cyclical assessments and inspections will be based on recent work performed by the façade inspections done county owned buildings. Costs for façade evaluations are expected to be \$350,000 to \$400,000 annually based on</p>

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							<p>inspections required by City ordinances. Necessary repairs needed based on inspection findings are difficult to estimate given the variety of building materials and their costs and the extent of the needed repair.</p> <p>Interior evaluations could be performed for a cost of roughly \$150,000 to \$200,000 annually assuming 120 buildings would be inspected once every 5 years. This level of analysis would be done using the expertise of the inspection unit with necessary repair work being the responsibility of the owner department.</p>
3. Draft a framework for consolidating all property management functions within DTPW to ensure focused, streamlined building management in a manner that ensures the safety of the public and County employees.		No			No	Yes	<p>August 2011 Response: DTPW agrees that consolidation of all county owned property should be under one property management function as proposed both by an earlier audit report as well as a previous budget request. A stand-alone Department could be created to ensure building management is streamlined and that maintenance of county owned property is prioritized in an unbiased manner with safety as the priority.</p> <p>Dept. of Audit Comment: We reiterate our recommendation that a framework be drafted which consolidates all property management functions Countywide within DTPW to provide the benefits noted in our report.</p> <p>February 2012 Response: DAS agrees that consolidation of all county owned property</p>

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							<p>should be under one property management function as proposed both by an earlier audit report as well as a previous budget request. As out-lined in the 2012 Adopted Budget and in subsequent informational reports to the County Board, DAS-FM has been created to ensure building management is streamlined and that maintenance of county owned property is prioritized in an unbiased manner with safety as the priority. The adopted budget action creating DAS-FM is the first step in consolidating all property management functions Countywide within DAS to provide the benefits noted in the 2010 Audit report. Subsequent budget initiatives to further consolidate all property management functions Countywide under DAS-FM are anticipated in 2013.</p> <p>On a related initiative, per the 2012 Adopted Budget, DAS-FM is in the process of negotiating a contract with consulting firm of CB Richard Ellis to deliver a Comprehensive Facilities Plan for County buildings and properties. This plan will provide a strategy, timeline and cost estimates to implement the Milwaukee County property management strategic plan.</p>

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4. Establish a protocol that ensures that data concerning repair and maintenance work completed to address identified deficiencies are input into VFA, and that completed work be archived as appropriate.		No			No	Yes	<p>August 2011 Response: For many of the public works capital budget projects, DTPW is already working on inputting data concerning repair and maintenance work completed to address identified deficiencies into VFA, and that completed work be archived as appropriate. For most other public works projects performed for the Owner departments by T&M contractors or by county staff, DTPW still needs to coordinate with the Owner Departments to make the data available to DTPW.</p> <p>DTPW staff is working with all PM Units to develop a process and procedure that ensures data concerning repair and maintenance work completed to address identified deficiencies are input into VFA, and that data on the completed work is archived as appropriate. This will include access and training on the appropriate property management software.</p> <p>February 2012 Response: For many of the public works capital budget projects, DAS-FM staff is already working on inputting data concerning repair and maintenance work completed to address identified deficiencies into VFA, and that completed work be archived as appropriate. For most other public works projects performed for the Owner departments by T&M contractors or by county staff, DAS-FM still needs to coordinate with the Owner Departments to make the data available to DAS-FM.</p> <p>DAS-FM staff is working with all PM Units to develop a process and procedure that ensures data concerning repair and maintenance work completed to address identified deficiencies are input into VFA, and that data on the</p>

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							completed work is archived as appropriate. This will include access and training on the appropriate property management software.
5. Ensure that assessment results are discussed with PM units prior to entering the data into VFA. If disagreement exists, establish a procedure for arbitrating the disagreement, and for subsequently identifying such deficiencies within VFA.		No			No	Yes	<p>August 2011 Response: DTPW staff has put in place a review process allowing for adequate opportunities for PM Unit staff to review and comment on the data collected. A challenge to this process is the lack of staff and resources for the Owner department to allocate time for those with the expertise necessary. A procedure for arbitrating any disagreement between DTPW and the PM Units will be developed that allows subsequent identifying such deficiencies within VFA.</p> <p>February 2012 Response: DAS-FM staff has put in place a review process allowing for adequate opportunities for PM Unit staff to review and comment on the data collected. A challenge to this process is the lack of staff and resources for the Owner department to allocate time for those with the expertise necessary. A procedure for arbitrating any disagreement between DAS-FM and the PM Units will be developed that allows subsequent consensus in identifying building system inventory, condition and deficiencies within the VFA</p>

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6. Require PM units to review all open deficiencies and update VFA to reflect their proper status, with emphasis directed toward Priority 1, Life Safety deficiencies initially.		No			No	Yes	<p>program.</p> <p>August 2011 Response: As a part of the DTPW Director mandated county-wide annual building inspection program being worked on by DTPW staff, the PM Units will be required to document their review of the VFA data.</p> <p>DTPW staff will work with all PM Units and DAS fiscal and budget staff to develop a process and procedure that requires PM Units to review all open deficiencies and update VFA to reflect their proper status, with emphasis directed toward budgeting in the operating or capital budget to address Priority 1, Life Safety deficiencies initially. Requested budget submittals will require back up documentation from the VFA database. This will process and procedure will include access and training on the appropriate property management software.</p> <p>A challenge to this process is the lack of staff and resources for the PM Unit to allocate time for those with the expertise necessary.</p> <p>Dept. of Audit Comment: Our recommendation was intended to confirm whether the open deficiency status noted in VFA was current and accurate, with attention focused first on Priority 1, Life Safety deficiencies. Once the status was confirmed, then the response by DTPW to budget for repair costs is an appropriate natural extension of its corrective action.</p> <p>Until then, neither DAS involvement nor limitations with staff's knowledge of VFA functions should restrict PM units'</p>

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							<p>ability to follow up on confirming the status of deficiencies noted as open in VFA as soon as practical.</p> <p><u>February Response:</u></p> <p>As a part of the DAS-FM Director mandated county-wide annual building inspection program being worked on by DAS_FM staff, the PM Units will be required to document their review of the VFA data.</p> <p>DAS-FM staff will work with all PM Units and DAS fiscal and budget staff to develop a process and procedure that requires PM Units to review all open deficiencies and update VFA to reflect their proper status, with emphasis directed toward budgeting in the operating or capital budget to address Priority 1, Life Safety deficiencies initially. Requested budget submittals will require back up documentation from the VFA database. This process and procedure will include access and training on the appropriate property management software.</p> <p>A challenge to this process is the lack of staff and resources for the PM Unit to allocate time for those with the expertise necessary.</p> <p>It is not DAS involvement and/or limitations with staff's knowledge of VFA functions but lack of staff and resources for the PM Unit to allocate time for those with the expertise necessary that restricts PM units' ability to follow up on confirming the status of deficiencies noted as open in VFA as soon as they should.</p>
7. Develop a strategy and timetable for using existing systems in the County, and/or		No			No	Yes	<p><u>August 2011 Response:</u></p> <p>Based on existing County Ordinance Section 56.20, DTPW</p>

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<p>other available systems, to achieve a comprehensive property management system to become fully operational for preparation of the 2013 County Budget.</p>							<p>staff is developing a DTPW Director mandated county-wide annual building inspection program for "maintaining structural integrity of all capital improvements and routine major maintenance." In the 2011 Adopted Budget 5 skilled trade positions were created but not funded for Building Inspections. Additionally, in 2010 consultants hired by DTPW found approximately \$2.9 million in repairs that were needed in 2011 for the buildings that were inspected in 2010. The money that was earmarked to make those repairs came from the UWM Land Sales. When the land sales were deferred, funding was lost to make the repairs in 2011. In February of 2011 and again in April reports were sent to the County Board highlighting these issues. The County will need to plan for funding in 2012 to make these repairs and fund the inspection team positions. Once the DTPW inspection team has been assembled, they will be visiting all County facilities on an annual basis using a recently developed "Inspection Manual for Building Components and Other Structures". Inspection reports will be generated and submitted to the PM Units with the directive to implement any repair or removal of imminent threat to employee or public safety. If, upon revisiting the facilities, the directed repair or removal of imminent threats has not been completed, a report to the County Board will be generated.</p> <p>A challenge to this process is the lack of staff and resources for the PM Units to allocate time for those with the expertise necessary.</p> <p>While some existing systems may be appropriate for certain activities, newer systems may be available that create a single source for warehousing data, estimating costs, track progress and generating reports for multiple users.</p>
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							<p>Therefore, DPTW staff will perform an analysis of the current county data systems, along with the possible integration of new systems including enterprise GIS, to provide a streamlined approach to building condition and assessment management.</p> <p>February 2012 Response: Based on existing County Ordinance Section 56.20, DAS-FM staff is developing a DAS Director mandated county-wide annual building inspection program for "maintaining structural integrity of all capital improvements and routine major maintenance." In the 2011 Adopted Budget 5 skilled trade positions were created but not funded for Building Inspections. Additionally, in 2010 consultants hired by DTPW found approximately \$2.9 million in repairs that were needed in 2011 for the buildings that were inspected in 2010. The money that was earmarked to make those repairs came from the UWM Land Sales. When the land sales were deferred, funding was lost to make the repairs in 2011. In February of 2011 and again in April reports were sent to the County Board highlighting these issues.</p> <p>In September, 2011 a fund transfer from DAS-Fiscal was approved by the County Board to provide \$1,015,441 in sales tax proceeds to complete façade repairs on buildings in 9 different County Departments. On 9/29/2011, the DTPW Director sent a letter to the impacted department heads and their appropriate staff with a description, budget and timeline for completing these repairs. These repairs are currently ongoing DAS-FM is anticipating a fund transfer in 2012 to provide the remaining funding required to assess the condition of all County buildings that have not yet been included in the VFA Building Inventory and Assessment database.</p>

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							<p>DAS agrees that consolidation of all county owned property should be under one property management function as proposed both by an earlier audit report as well as a previous budget request. As out-lined in the 2012 Adopted Budget and in subsequent informational reports to the County Board, DAS-FM has been created to ensure building management is streamlined and that maintenance of county owned property is prioritized in an unbiased manner with safety as the priority. The adopted budget action creating DAS-FM is the first step in consolidating all property management functions Countywide within DAS to provide the benefits noted in the 2010 Audit report. Subsequent budget initiatives to further consolidate all property management functions Countywide under DAS-FM are anticipated in 2013.</p> <p>On a related initiative, per the 2012 Adopted Budget, DAS-FM is in the process of negotiating a contract with consulting firm of CB Richard Ellis to deliver a Comprehensive Facilities Plan for County buildings and properties. This plan will provide a strategy, timeline and cost estimates to implement the Milwaukee County property management strategic plan</p> <p>Once the DAS-FM inspection team has been assembled, they will be visiting all County facilities on an annual basis using a recently developed "Inspection Manual for Building Components and Other Structures". Inspection reports will be generated and submitted to the PM Units with the directive to implement any repair or removal of imminent threat to employee or public safety. If, upon revisiting the facilities, the directed repair or removal of imminent threats</p>
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							<p>has not been completed, a report to the County Board will be generated.</p> <p>A challenge to this process is the lack of staff and resources for the PM Units to allocate time for those with the expertise necessary.</p> <p>While some existing systems may be appropriate for certain activities, newer systems may be available that create a single source for warehousing data, estimating costs, track progress and generating reports for multiple users. Therefore, DAS-FM staff will perform an analysis of the current county data systems, along with the possible integration of new systems including enterprise GIS, to provide a streamlined approach to building condition and assessment management.</p>

1 Supervisor Michael Mayo, Sr., Chairperson,
2 From the Committee on Transportation, Public Works, and Transit, reporting on:

3
4 File No. 12-226
5

6 (ITEM 54) A resolution by Supervisors Jursik, Borkowski, Haas, and Dimitrijevic in
7 support of the 128th Air Refueling Wing (ARW) at Milwaukee County's General Mitchell
8 International Airport (GMIA) and to direct the planning for a land swap between General
9 Mitchell International Airport and the 128th ARW and the relocation of the 128 ARW's
10 guard post to the northeast part of GMIA off Layton Avenue, by recommending adoption of
11 the following:

12
13 **A RESOLUTION**
14

15 WHEREAS, the 128th Air Refueling Wing of Milwaukee (hereinafter 128 ARW),
16 being part of the Wisconsin Air National Guard, is a valued and integral organization in
17 Milwaukee County with a base located at Milwaukee County's General Mitchell
18 International Airport (GMIA) and has a significant economic impact on the local economy
19 valued at approximately \$77.3 million per year; and
20

21 WHEREAS, the 128 ARW is in the process of preparing and filing a long-range plan
22 with the National Guard Bureau at the end of March 2012, for the continued viability of
23 not only the current base configuration but also the long-range viability of the base at
24 GMIA; and
25

26 WHEREAS, Milwaukee County desires to express its support for the current and
27 long-range viability of the 128 ARW; to display the strong support of the community for
28 continuity and positive cooperation between the 128 ARW and GMIA and to ensure that
29 the valued services, including both security and fire protection performed by the 128 ARW
30 to the County and State, are maintained; and
31

32 WHEREAS, the 128 ARW and its guard post are currently accessed by crossing
33 under railroad tracks to the east of the base on Grange Avenue, and should the proposed
34 Lake Parkway (State Trunk Highway 794) be extended south along the railroad right-of-
35 way, the extension would create an additional overpass above the current guard post
36 which could compromise the guard post's security; and
37

38 WHEREAS, there are mutual opportunities for both GMIA and the 128 ARW that
39 would permit the County to acquire additional lands for the MKE Regional Business Park
40 (the former 440th Air Reserve Station, hereafter referred to as MKE) at the Airport, since the
41 128 ARW holds land in this area, while also permitting the 128 ARW to obtain a more
42 secure guard post to the north of the base off of Layton Avenue, thereby eliminating the
43 compromised entrance off Grange Avenue and further also providing additional apron
44 space as required by new standards set by the Air Force for additional parking of new KC-
45 46 tankers used by the 128 ARW and similar refueling bases around the country; and

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WHEREAS, since nearly the beginning of GMIA, the northeast quadrant has been used for private hangars that are subject to land leases with the County, and since the value of Airport land has increased substantially over the time GMIA has existed in the County, the County would be given an opportunity to review the highest and best use of this space in conjunction with the desire to obtain a land swap with the 128 ARW to benefit the base with a more secure guard post and entrance, provide additional apron space and assets for the 128 ARW, permit GMIA to review and plan for this northeast quadrant (given the current value of the airport land), and obtain the land currently held by the 128 ARW in the MKE as well as the land outside of GMIA held for the Grange Avenue entrance to the base; and

WHEREAS, the attached map illustrates the 128 ARW's two current locations being Guard East, which is accessed via Grange Avenue, and Guard West, which is part of the MKE accessed via College Avenue, both of which could be swapped for the proposed Guard North, which would be accessed via Layton Avenue; and

WHEREAS, there is a need for review and itemization of the conditions required to be met for this land swap to occur and a need to give policy direction to the Director and administration of GMIA to initiate such planning to go forward; now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby states its strong support for the continued viability of the 128 Air Refueling Wing (ARW) at General Mitchell International Airport (GMIA) and directs as follows:

1. The County Board approves in concept the land swap of the Guard West and Guard East properties currently held by the 128 ARW for the proposed Guard North currently owned by GMIA.
2. The County Board approves in concept the addition of apron space for the 128 ARW in the northeast quadrant as set out in the attached map and as further compiled between GMIA and the 128 ARW in agreements to be developed and brought before the Board.
3. The County Board authorizes and directs the GMIA Director to review what would be required to effectuate the land swap, including such issues as Federal Aviation Administration (FAA) approval, FAA and State approval of the land release amending the GMIA Master Plan, the private hanger land leases and their relocations, and environmental concerns.
4. The GMIA Director shall provide the information to the Board that is provided for in this resolution itemizing a proposed timelines and a breakdown of the steps required when the 128 ARW has obtained approval of its long range plan.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2-17-2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution In support of the 128th Air Refueling Wing at Milwaukee County's General Mitchell International Airport and to direct the planning for a land swap between GMIA and the 128 ARW and the relocation of the 128 ARW's guard post to the northeast part of GMIA off Layton Avenue.

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input checked="" type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|--|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	
	Revenue	0	
	Net Cost	0	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

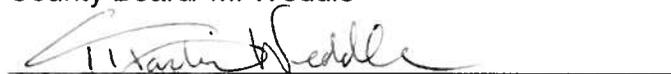
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

- A. This resolution expresses support of the 128th Air Refueling Wing at Milwaukee County's General Mitchell International Airport and to direct the planning for a land swap between GMIA and the 128 ARW and the relocation of the 128 ARW's guard post to the northeast part of GMIA off Layton Avenue.
- B. There is no cost associated with the adoption of this resolution. Staff time will be required to outline the requirements of effectuating the land swap. If the 128 ARW is successful in having its master plan approved by the Department of Defense, then funding details will have to be determined at that point in time.
- C. N/A
- D. No assumptions were made

Department/Prepared By County Board/ M. Weddle

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

- Aerial View -
Guard East, Guard West & Proposed Guard North



		REVISIONS DATE: _____ DESCRIPTION: _____ _____ _____ _____
TITLE: 130 AREA PROPOSED GUARD NORTH	SCALE: NOT TO SCALE	DATE: 10 FEB 12
DRAWN BY: CAS	CHECKED BY: _____	DATE: _____

THE COUNTY BOARD OF SUPERVISORS
 IS NOT RESPONSIBLE FOR THE CONTENTS OF THIS
 DRAWING OR FOR ANY DAMAGE TO PERSONS OR
 PROPERTY THAT MAY BE CAUSED BY THE USE
 OF THIS DRAWING.

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(ITEM 55) From the Director of Economic Development, Department of Administrative Services, requesting authorization to execute the second flight phase of a six-year license agreement and enter into a Professional Services Contract providing for the acquisition of a countywide high-resolution digital Orthophotographic and Oblique imagery, by recommending adoption of the following:

A RESOLUTION

WHEREAS, by a resolution adopted on November 8, 1990, the Milwaukee County Board of Supervisors, working in cooperation with the utilities concerned, created a public-private partnership to implement the Milwaukee County Automated Mapping and Land Information System (MCAMLIS), including creation of a Steering Committee to provide oversight in the implementation of the system recommended in the Southeastern Regional Planning Commission (SEWRPC) Community Assistance Planning Report No. 177; and

WHEREAS, the afore referenced Milwaukee County resolution adopted on November 8, 1990, further authorized the execution of a Cooperative Agreement between Milwaukee County and the public and private utilities serving Milwaukee County, whereby the County and such utilities agreed to jointly fund the development of the Milwaukee County automated mapping and land information system, such Agreement delegating to the afore referenced Steering Committee full responsibility for all policy matters relating to the conduct of the work program, including proposed contracts and specifications and the selection of contractors; and

WHEREAS, the MCAMLIS Steering Committee has approved a project at its December 9, 2011, meeting authorizing the second flight of a three flight agreement to acquire "AccuPlus" Aerial Image data utilizing technology developed by the Pictometry International Corporation of Rochester, New York; and

WHEREAS, in January of 2010, Milwaukee County selected Pictometry International Corporation through the Request for Proposal (RFP) process having been the only vendor evaluated as capable of meeting specific technical and delivery specifications; and

WHEREAS, in March 2010, Milwaukee County entered into a six-year License Agreement with Pictometry International Corporation specifying three separate flights and resultant data to be collected on subsequent two-year intervals with the first flight and data delivery to be conducted in the Spring of 2010, whereby the first of three flights was conducted and the results delivered in September 2010; and

WHEREAS, future flights and deliveries under this agreement are contingent upon funding approval; whereby, the second flight funding was approved by the MCAMLIS Steering Committee at its Committee meeting held on December 9, 2011;

46 WHEREAS, the Committee on Transportation, Public Works, and Transit, at its
47 meeting of February 29, 2012, recommended approval of the Director of Economic
48 Development's request (vote 6-0); and

49

50 WHEREAS, the Committee on Economic and Community Development; at its
51 meeting of March 5, 2012, concurred with the Committee on Transportation, Public
52 Works, and Transit and also recommended approval of the Director of Economic
53 Development's request (vote 6-0); now, therefore,

54

55 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
56 authorizes the Director of Administrative Services to enter into a Professional Services
57 Contract with Pictometry International, Inc., for the acquisition of digital
58 Orthophotographic and Oblique image products as specified in the License Agreement
59 entered into on March 25, 2010, whereby the cost of the second flight contract will be
60 \$134,495 or less.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2/7/12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: 2012 Milwaukee County Ortho/Oblique Imagery Acquisition

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$134,495	0
	Revenue	0	0
	Net Cost	\$134,495	0
Capital Improvement Budget	Expenditure	0	
	Revenue	0	
	Net Cost	0	

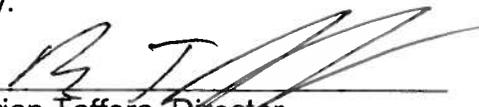
DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
- A. The Director of the Department of Administrative Services (DAS) requests authority to execute the 2nd flight phase of a 6-year License Agreement and enter into a professional services contract providing for the acquisition of countywide high-resolution digital Orthophotographic and Oblique imagery.
- B. The cost of this flight is \$134,495 and funds are included for this purpose in the 2012 adopted MCAMLIS budget.
- C. In adopting the 2012 Budget the Milwaukee County Board of Supervisors authorized expenditures for MCAMLIS to be used for GIS data acquisition, of which this activity is included. Sufficient budget allocation is in low org: 1199 Acct# 6148 totaling \$235,208.
- D. Authorization is granted with sufficient time to physically collect the data within 2012 spring leaf-off weather conditions – a window between 3/15 and 4/15/2012

Department/Prepared By DAS/ECD MCAMLIS - William Shaw

Approved by:



Brian Taffora, Director
ECD

Did DAS-Fiscal Staff Review?

Yes

No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 56) From the Director, Department of Transportation, requesting authorization to amend the cargo lease agreement with Federal Express Corporation at General Mitchell International Airport (GMIA), by recommending adoption of the following:

A RESOLUTION

WHEREAS, Federal Express Corporation (Federal Express) entered into Agreement CR-1984 for the signatory cargo rental of 187,828 square feet of air cargo apron effective November 1, 2009; and

WHEREAS, Federal Express added an additional 29,570 square feet in order to provide sufficient parking space for a Boeing 727 aircraft under Amendment No. 1 (CR-1984a) and further added 9,000 square feet under Amendment No. 3 (CR-1984c); and

WHEREAS, Federal Express is now requesting an additional 4,320 square feet in order to accommodate larger aircrafts for a total rented square footage of 230,718 square feet; now, therefore,

BE IT RESOLVED, that the Airport Director is hereby authorized to amend Airport Agreement No. CR-1984 between Milwaukee County and Federal Express Corporation to add approximately 4,320 square feet of air cargo apron at General Mitchell International Airport, effective March 1, 2012.

jl
02/17/2012
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 3, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: AMENDMENT TO CARGO LEASE AGREEMENT BETWEEN MILWAUKEE COUNTY AND FEDERAL EXPRESS CORPORATION

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of Contingent Funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$10,663.65	TBD
	Revenue	\$10,663.65	TBD
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

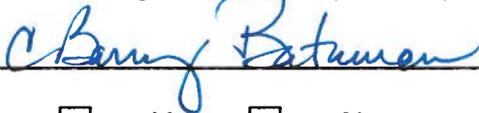
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Airport revenues will increase by approximately \$10,663.65 with the allocation of additional rent to Federal Express Corporation.

Department/Prepared by: Steven A. Wright, A.A.E., Airport Properties Manager

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Reviewed by:

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¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 57) From the Director, Department of Transportation, and the Airport Director requesting authorization to execute Letter Agreements with current and future Distributed Antenna System (DAS) subscribers that grant subscribers, beginning with the date of the carrier's access, ten years' service at General Mitchell International Airport (GMIA) , by recommending adoption of the following:

A RESOLUTION

WHEREAS, on December 16, 2004, Milwaukee County entered into Airport Agreement No. CN-1455 with Sprint Spectrum, L.P., for the installation, operation, management, and maintenance of the WI-FI Service Concession in the terminal building at General Mitchell International Airport (GMIA); and

WHEREAS, on October 5, 2007, the agreement was assigned to Concourse Communications SSP, LLC, a subsidiary of Boingo Wireless, Inc., due to an asset purchase agreement; and

WHEREAS, the agreement was for an initial term of five (5) years beginning on March 1, 2005, and ending on February 28, 2010, with one additional five (5) year term subject to the mutual agreement of both parties; and

WHEREAS, on February 4, 2010 [File No. 06-276(a)(b)] ,the Milwaukee County Board authorized extending Airport Agreement No. CN-1455 for an additional five-year renewal term, effective March 1, 2011, and ending on February 28, 2016, with one additional five-year option beginning March 1, 2016, and ending on February 28, 2021; and

WHEREAS, the Board authorized these agreement extensions because Concourse was to upgrade the existing WI-FI and install a Distributed Antenna System (DAS) to enhance the wireless telecommunication reception in the terminal building; and

WHEREAS, since DAS will be utilized only by telecommunication companies to supply voice and data to their wireless subscribers, the Carrier Access Agreement is structured so that each subscriber reimburses Concourse a proportionate share of the total costs of building the DAS based on the number of DAS subscribers; and

WHEREAS, typically businesses amortize costs over a ten-year period; and

WHEREAS, Concourse expects the DAS installation to be completed in summer 2012; and

44 WHEREAS, since the final option term of Airport Agreement No. CN-1455 expires
45 on February 28, 2021, Concourse cannot guarantee a ten-year amortization term for its
46 subscribers; and

47

48 WHEREAS, upon the expiration of Airport Agreement No. CN-1455, DAS becomes
49 the property of Milwaukee County; and

50

51 WHEREAS, Verizon is requesting that Milwaukee County give Verizon an assurance
52 that Verizon will have access to DAS for a full ten-year period in order to fully amortize its
53 investment costs in DAS; now, therefore,

54

55 BE IT RESOLVED, that subject to the review of the Milwaukee County Office of
56 Corporation Counsel, the Airport Director is authorized to execute Letter Agreements with
57 current and future Distributed Antenna System (DAS) subscribers that grant the subscribers
58 a full ten-year's access to the General Mitchell International Airport DAS, beginning with
59 the date of the carrier's access to DAS, in order for the carriers to be able to fully amortize
60 their financial investments in DAS.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 6, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: AUTHORIZATION TO ENTER INTO LETTER AGREEMENTS WITH TELECOMMUNICATION COMPANIES THAT SUBSCRIBE TO THE DISTRIBUTED ANTENNA SYSTEM (DAS) AT GENERAL MITCHELL INTERNATIONAL AIRPORT (GMIA)

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of Contingent Funds |
|---|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$36,000	\$72,000
	Revenue	\$36,000	\$72,000
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

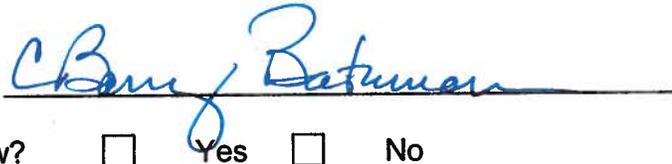
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Airport concession revenue will be approximately \$36,000 for the last six months of 2012, and \$72,000.00 per year thereafter. There is no effect on Milwaukee County tax levy.

Department/Prepared by: Kathy Nelson

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No
Reviewed by:

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 58) From the Director, Department of Transportation, and the Airport Director requesting authorization to terminate Airport Agreement HP-806 and enter into a new agreement with Northwestern Mutual Life Insurance Company for the lease of the land on which to build a new hangar facility at General Mitchell International Airport (GMIA), by recommending adoption of the following:

A RESOLUTION

WHEREAS, on June 8, 1983, Milwaukee County entered into an agreement (Airport Agreement No. HP-806) with Northwestern Mutual Life Insurance Company (NML) for the lease of land on which their hangar is located at General Mitchell International Airport (GMIA); and

WHEREAS, the agreement had an initial term of five (5) years, commencing June 1, 1983, with four (4) additional renewal option terms of five (5) years; and

WHEREAS, the agreement is currently in its fourth of four, five-year renewal options; and

WHEREAS, NML has now requested to expand its hangar facilities at GMIA and enter into a new agreement for a lease that adds approximately 39,467 square feet of land for a total leased area of 86,548 square feet on which NML will demolish their existing hangar and construct a new aircraft hangar in which to house their newer, larger aircraft and expanding aviation department; and

WHEREAS, Airport staff recommends that Milwaukee County terminate Airport Agreement No. HP-806 and enter into a new lease agreement with NML for the lease of approximately 86,548 square feet of land at GMIA, under the standard terms and conditions for new corporate hangar construction of similar class and size, inclusive of the following:

1. The termination of the existing agreement with NML (Airport Agreement HP-806), and the terms of a new agreement shall be binding and take effect upon execution by all parties hereto (the "Effective Date"). The term and obligation to pay rent shall not commence until the Date of Substantial Beneficial Occupancy ("SBO"), which shall mean the date specifically designated in a written notice to Lessee from the Airport Director that the hangar is completed to the extent that it is usable, but no later than one (1) year after the effective date. Said notice shall be attached to and be deemed a part of this Agreement.
2. In recognition of the significant investment, the agreement shall be for an initial term of five (5) years, commencing on the date of SBO, with four (4) additional renewal option terms of five (5) years.

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3. Commencing on the Date of SBO, Lessee agrees to pay Lessor the then-current land rental rate in effect for the approximate 86,548 square feet of land.
4. The rental rate shall be adjusted by Lessor each July 1, based on the percentage increase or decrease in the Consumer Price Index (All Urban Consumers) for the Milwaukee area as published by the U.S. Department of Labor, Bureau of Labor Statistics, or the generally accepted national replacement or successor index, as readjusted to the base month and computed by comparison of the then-current January index with the index of the preceding January.
5. The agreement shall contain the current standard insurance and environmental language for protection of the County as it pertains to hangar and lease agreements.

; now, therefore,

BE IT RESOLVED, that the Director, Department of Transportation, and the County Clerk are hereby authorized to terminate Airport Agreement No. HP-806 and enter into a new agreement between Milwaukee County and Northwestern Mutual Life Insurance Company for the lease of land on which to build their hangar facility at General Mitchell International Airport.

jl
02/17/2012
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 3, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: NEW AGREEMENT WITH NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY (NML), FOR LEASE OF LAND AT GENERAL MITCHELL INTERNATIONAL AIRPORT

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of Contingent Funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$15,858	TBD
	Revenue	\$15,858	TBD
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Land rental will be approximately \$27,115 per year, which is \$15,858 more than the current lease payment for land rental.

Department/Prepared by: Steven A. Wright, A.A.E., Airport Properties Manager

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No
Reviewed by:

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¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 59) From the Director, Department of Transportation, and the Airport Director requesting authorization to terminate Lease Agreement No. HP-1549, sell the Marshall & Ilsley Corporation Hangar facilities, and enter into a new lease agreement with Rite-Hite Corporation effective upon the date of acquisition for the lease of approximately 21,500 square feet at General Mitchell International Airport (GMIA), by recommending adoption of the following:

A RESOLUTION

WHEREAS, on July 26, 2006, Milwaukee County entered into Lease Agreement No. HP-1549 with Marshall & Ilsley Corporation for the lease of approximately 21,500 square feet of land on which their hangar is located at General Mitchell International Airport (GMIA); and

WHEREAS, the agreement has an initial term of five (5) years, commencing June 1, 2006, and ending May 31, 2011, with one (1) additional renewal option term of five (5) years; and

WHEREAS, the agreement is currently in its first of one five-year renewal options; and

WHEREAS, Marshall & Ilsley Corporation is now requesting that Milwaukee County approve the sale of the hangar facilities to Rite-Hite Corporation and agree to terminate Lease Agreement No. HP-1549 between Milwaukee County and Marshall & Ilsley Corporation; and

WHEREAS, Rite-Hite Corporation is further requesting that Milwaukee County approve the purchase of the hangar from Marshall & Ilsley Corporation and agree to enter into a new lease agreement between Milwaukee County and Rite-Hite Corporation effective upon the date of acquisition; and

WHEREAS, Airport staff recommends that Milwaukee County terminate Airport Agreement No. HP-1549 and enter into a new lease agreement with Rite-Hite Corporation for the lease of approximately 21,500 square feet of land at GMIA effective upon the date of acquisition, under the standard terms and conditions for corporate hangars of similar class and size at GMIA under the standard terms and conditions for new corporate hangar construction of similar class and size, inclusive of the following:

1. The termination of Airport Agreement No. HP-1549 and the terms of a new agreement shall be binding and take effect upon the Date of Sale, and the term and obligation to pay rent shall not commence until the Date of Sale.

- 45 2. The agreement shall be for an initial term that expires November 13, 2013,
46 commencing on the Date of Sale, with one (1) additional renewal option
47 term of five (5) years.
48
49 3. Commencing on the Date of Sale, Lessee agrees to pay Lessor the then-
50 current land rental rate in effect for the approximate 21,500 square feet of
51 land.
52
53 4. The rental rate shall be adjusted by Lessor each July 1, based on the
54 percentage increase or decrease in the Consumer Price Index (All Urban
55 Consumers) for the Milwaukee area as published by the U.S. Department of
56 Labor, Bureau of Labor Statistics, or the generally accepted national
57 replacement or successor index, as readjusted to the base month and
58 computed by comparison of the then-current January index with the index of
59 the preceding January.
60
61 5. The agreement shall contain the current standard insurance and
62 environmental language for protection of the County as it pertains to hangar
63 and lease agreements.

64 ; now, therefore,

65
66 BE IT RESOLVED, that the Director, Department of Transportation and the County
67 Clerk are hereby authorized to approve the sale of the Marshall & Ilsley Corporation
68 Hangar facilities to Rite-Hite Corporation, terminate Lease Agreement No. HP-1549, and
69 enter into a new lease agreement between Milwaukee County and Rite-Hite Corporation
70 effective upon the date of acquisition for the lease of approximately 21,500 square feet of
71 land on which to operate and maintain an aircraft hangar at General Mitchell International
72 Airport.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 3, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: SALE OF HANGAR FROM MARSHALL & ILSLEY CORPORATION TO RITE-HITE CORPORATION, AND ENTER INTO A NEW LEASE AGREEMENT BETWEEN MILWAUKEE COUNTY AND RITE-HITE CORPORATION

FISCAL EFFECT:

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|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of Contingent Funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$6,735.95	TBD
	Revenue	\$6,735.95	TBD
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Land rental revenue will be approximately \$6,735.95 for the first year of the agreement.

Department/Prepared by: Dan Huebner, Contract Payment Specialist

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No
Reviewed by:

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¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 60) From the Director, Department of Transportation, and the Airport Director requesting authorization to amend Agreement GA-2080 between the Wisconsin Department of Transportation and General Mitchell International Airport (GMIA) for Airport Spur maintenance, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 2010, the County Board approved of entering into a maintenance agreement with the Wisconsin Department of Transportation (WISDOT) for the Airport to provide maintenance of an upgraded landscaping design that the State will install along the State right-of-ways, adjacent to the Airport Spur, Highway 119 (County Board File No. 10-305); and

WHEREAS, as part of the State’s approval of placement of a monument sign in the center island right-of-way, the State is requiring that the maintenance agreement be amended to include maintenance by the Airport of the monument feature; and

WHEREAS, elements of the agreement amendment include the following:

1. Inspect electrical/lighting components yearly. Replace any nonfunctional component of the electrical/lighting system, as necessary.
2. Inspect truss supports yearly. Replace any damaged truss component as necessary.
3. Monitor anchor bolts yearly. Repair as necessary.
4. Inspect letters yearly. Touch up paint on any exposed metal as necessary. Clean and prime any corroded areas before painting.
5. Coordinate gateway inspection with landscape inspections for joint access.
6. In the event of a major vehicle strike that severely damages or knocks down the gateway feature, replace all damaged gateway components and install new duplicate structure.
7. The Airport or the Department may remove the Gateway Monument, and in that event, the party removing the monument will restore the land on which the monument sits to its original condition. WISDOT reserves the right to remove the monument with 90 days’ notice. If the monument is removed, it will be turned over to the Airport along with all incidental items.

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WHEREAS, Airport staff recommends amending the spur landscaping maintenance agreement to include maintenance of the monument feature; now, therefore,

BE IT RESOLVED, the Director, Department of Transportation, is hereby authorized to amend Agreement GA-2080 between the Wisconsin Department of Transportation and General Mitchell International Airport, for Airport Spur maintenance.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 7, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: AMENDMENT TO SPUR MAINTENANCE AGREEMENT BETWEEN THE WISCONSIN DEPARTMENT OF TRANSPORTATION AND GENERAL MITCHELL INTERNATIONAL AIRPORT (GA-2080)

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of Contingent Funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Sufficient Airport funds are available in maintenance account #6620. There is no tax levy impact.

Department/Prepared by: C. Barry Bateman, Airport Director

Authorized Signature

_____

Did DAS-Fiscal Staff Review? Yes No

Reviewed by:

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¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 61) From the Director, Department of Transportation, requesting authorization to amend the Professional Services Contract with Corlett, Skaer & Devoto Architects, Inc. (CSDA), to continue the implementation of the residential sound insulation program at General Mitchell International Airport (GMIA), by recommending adoption of the following:

A RESOLUTION

WHEREAS, implementation of the Federal Aviation Administration (FAA) approved Federal Aviation Regulation (FAR) Part 150 Noise Study Update recommendations required hiring a consultant to manage and implement the Airport Area Noise Management Program (NMP); and

WHEREAS, the NMP is the result of recommendations made in the FAR Part 150 Noise Compatibility Program (NCP) approved by the FAA in June 2009; and

WHEREAS, the program consists of providing all of the consulting and management services necessary to implement the various land and noise mitigation programs of NCP including the modification of approximately 650 residences to reduce the impacts of aircraft-generated noise on the occupants, voluntary land acquisition, sales assistance, and aviation easements; and

WHEREAS, the program is being conducted using the single parcel method; and

WHEREAS, Corlett, Skaer & Devoto Architects, Inc. (CSDA), is a full-service architectural firm specializing in the design and implementation of airport sound mitigation programs; and

WHEREAS, the CSDA consultant team consists of:

- KPH Construction, a firm with six years of experience on the previous Milwaukee program
- Hill International, a construction management firm with extensive expertise in program documentation management
- PSOMAS, an engineering consultant firm with expertise in mapping, Geographic Informational Systems, and construction management
- Geiger Engineering, a Milwaukee-based electrical engineering firm
- Engineering Concepts, a Waukesha-based full-service engineering firm that will address mechanical engineering design services
- Toki & Associates, a Wisconsin-based Minority Business Enterprise (MBE)/Disadvantaged Business Enterprise (DBE)/Small Business Enterprise (SBE) firm specializing in architectural and engineering services

45 • Weiss & Company, a Milwaukee-based DBE marketing and public relations
46 agency, with previous marketing support experience at GMIA.

47 ; and

48

49 WHEREAS, in a September 24, 2009, resolution, the County Board approved of
50 retaining CSDA as the program management consultant for implementation of the NMP;

51 and

52

53 WHEREAS, a Professional Services Contract was executed on March 11, 2010,
54 between Milwaukee County and CSDA for a term of twenty-four (24) months with a not-to-
55 exceed value of \$9,034,427.70; and

56

57 WHEREAS, on March 31, 2010, the County authorized CSDA to proceed with
58 program set-up and residential sound insulation tasks identified in the NMP Scope of Work,
59 including:

60

- 61 • Staffing and furnishing the NMP office, including a public product display of
62 sound treatment products used in the program
- 63 • Conducted verification of over 700 homes to identify those within the FAA-
64 approved boundary and to prioritize those for participation from most loud to
65 least loud
- 66 • Developed program materials including homeowner manuals, specifications,
67 and program policy manuals
- 68 • Conducted DBE recruitment sessions in association with the County's Office of
69 Community Business Development Partners
- 70 • Conducted outreach and training of local contractors, including prime
71 contractors and subcontractors
- 72 • Provided State of Wisconsin required "Lead Safe Renovation" classes for NMP
73 contractors
- 74 • Conducted treatment of a "Pilot Group" of homes to verify product
75 appropriateness, including pre and post-acoustical testing of all pilot group
76 homes
- 77 • Created and implemented a "Bid Cycle" for the first 300 homes

78 ; and

79

80 WHEREAS, this Amendment No. 1 of the contract between Milwaukee County and
81 CSDA shall have a term of twelve (12) months (April 1, 2012, to March 31, 2013); and

82

83 WHEREAS, overall expenditures associated with implementation of the NMP for the
84 twelve-month term include approximately \$520,768 for inspection services provided by
85 Milwaukee County Facilities Management staff, \$8,725,200 for construction contracts with
86 local contractors, and CSDA professional services fees of \$5,432,865 for a total of
87 approximately \$14,678,833; and

88

89 WHEREAS, amending the CSDA contract will continue the implementation of the
90 NMP to sound insulate approximately 18-20 homes per six-week period over the twelve-
91 month term of the proposed amendment; and

92
93 WHEREAS, CSDA has committed to continue the 17% DBE involvement on the
94 project including the utilization of Toki & Associates and Weiss & Company, and DBE
95 participation for the contractors is 61% to date; now, therefore,

96
97 BE IT RESOLVED, that the Director, Department of Transportation, and the County
98 Clerk are hereby authorized to amend the Professional Services Contract with Corlett,
99 Skaer & Devoto Architects, Inc., to continue the implementation of the Airport Area Noise
100 Management Program for a term of twelve (12) months, beginning April 1, 2012.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 3, 2012

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT: PROFESSIONAL SERVICES CONTRACT AMENDMENT BETWEEN
MILWAUKEE COUNTY AND CORLETT, SKAER & DEVOTO ARCHITECTS,
INC. (CSDA)**

FISCAL EFFECT:

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|--|---|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input checked="" type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input checked="" type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of Contingent Funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	4,074,651	1,358,217
	Revenue	4,074,651	1,358,217
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

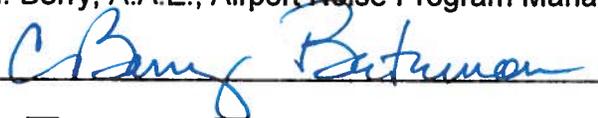
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The GMLA Noise Management Program is fully funded in Capital Project WA 064. FAA approval of the individual study elements makes the Airport eligible for Federal funding. Subject to FAA authorization and appropriations, noise projects are eligible for 80% Federal funding and 10% State funding, with the Airport providing a 10% Local funding share through its Passenger Facility Charge (PFC) program. Amendment 1 of the contract will have no fiscal effect on the tax levy of Milwaukee County.

Department/Prepared by: Kim M. Berry, A.A.E., Airport Noise Program Manager

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No
Reviewed by:

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¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 62) From the Director, Department of Administrative Services (DAS), requesting authorization and approval of the staffing and consultant use plan for the 2012 Adopted Capital Projects under the signature authority of DAS as recommended by DAS-Facilities Management Division, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Milwaukee County Code of General Ordinances Chapter 56.30(4)(a)(1) requires that the Department of Administrative Services (DAS) provides a final list of staff and consultant assignments for capital projects in February each year to the Committees on Finance and Audit and Transportation, Public Works and Transit; and

WHEREAS, DAS-Facilities Management Division has reviewed the 2012 Adopted Capital Improvements Budget and established a staffing and consultant use plan for the projects; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby approve the staffing and consultant use plan for the 2012 Adopted Capital Projects under the signature authority of the Department of Administrative Services (DAS) as recommended by DAS - Facilities Management Division.

jl
02/12/2012
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 7, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: STAFFING PLAN/CONSULTANT USE FOR 2012 CAPITAL IMPROVEMENTS PROJECTS

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. Milwaukee County Professional Services Ordinance 56.30 (4)(a)(1) requires that the Department of Administrative Services shall provide in February each year to the Committee on Finance and Audit, and the Committee on Transportation, Public Works and Transit, an updated report on public works capital projects requiring the use of any professional services contract. The Director of DAS recommends approval of the DAS-FM staff and consultant use plan for 2012 adopted capital projects. Adoption of this resolution will not require an expenditure of funds in excess of the adopted 2012 Adopted Capital Budget amounts.

B. Adoption of this resolution will have no direct fiscal impact to the 2012 County Adopted Budget. The 2012 Capital Budget project appropriations are fixed and cannot be exceed without County Board approval. Resolution deals with details on how planning, design and construction funding is spent, particularly as to whether the work is performed by in-house staff or consultants and if consultants are used, what process will be used to hire them.

C. None

D. None

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By: Department of Administrative Services – FM, Gary E. Drent

Recommended By:

Greg High 2/7/12
Gregory G. High Director, AE& ES

Authorized Signature

[Signature]
Pat Farley, Director DAS

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 63) From the Director, Community Business Development Partners, requesting authorization to amend the Milwaukee County Code of General Ordinances as it relates to the operation and administration of the Disadvantaged Business Enterprise (DBE) Program, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, on November 5, 1992, the Milwaukee County Board of Supervisors adopted File No. 92-474, which established that Federal Certification guidelines as established in Title 49 of the Code of Federal Regulations (49 CFR) Part 23 be implemented for all County Disadvantaged Business Enterprise (DBE) certification programs; and

WHEREAS, on April 22, 1999, following the direction of the United States Department of Transportation (USDOT), the Milwaukee County Board of Supervisors adopted File No. 99-216(b), which adopted the definitions of 49 CFR Part 26 replacing those of the deleted 49 CFR Part 23; and

WHEREAS, the Milwaukee County Code of General Ordinances (MMCGO) directs that the DBE program “shall comply with Title 49 of the Code of Federal Regulations, Parts 23 and 26, as amended from time to time, and all other appropriate federal laws and regulations, as applicable, now in effect or to take effect in the future;” and

WHEREAS, USDOT requires mandatory DBE program updates from all recipients of USDOT financial assistance by February 28, 2012, per 49 CFR Part 26; and

WHEREAS, the MMCGO directs that Community Business Development Partners (CBDP) “will be the enforcing office” of the DBE program responsible for these mandatory program updates; and

WHEREAS, following the directives prescribed in 49 CFR Part 26, CBDP has completed the necessary updates to Milwaukee County’s DBE program in order to maintain compliance with this federal requirement; and

WHEREAS, subsequent USDOT approval of Milwaukee County’s updated DBE program is a condition of eligibility for continued Federal Aviation Administration and Federal Transit Administration financial assistance; and

WHEREAS, CBDP has conferred with representatives of the County Board, the Departments of Administrative Services – Facilities Management, Audit, Controller, Corporation Counsel, Procurement, Transportation, and key contractors including Milwaukee Transport Services, Inc., to work through DBE program updates and their implications on County contracting procedures and the MCGO; and

46 WHEREAS, CDBP has included the recommendations of these representatives that
47 resulted from extensive dialogue, exchange, and feedback in these MCCGO modifications;
48 and

49
50 WHEREAS, CDBP has included MCCGO modifications which will establish a small
51 business enterprise utilization element to the County's DBE program that will afford
52 increased opportunities for, and participation of, small businesses seeking and conducting
53 business with the County; and

54
55 WHEREAS, CDBP has modified, to the greatest extent possible, the existing
56 MCCGO to coordinate verbatim with the language of 49 CFR Part 26; and

57
58 WHEREAS, the Committee on Transportation, Public Works, and Transit, at its
59 meeting of February 29, 2012, recommended approval of the said resolution/ordinance AS
60 AMENDED (vote 6-0); and

61
62 WHEREAS, the Committee on Economic and Community Development; at its
63 meeting of March 5, 2012, concurred with the Committee on Transportation, Public
64 Works, and Transit and also recommended approval of the said resolution/ordinance AS
65 AMENDED (vote 5-0); now, therefore,

66
67 BE IT RESOLVED, that as requested by Community Business Development Partners,
68 the Milwaukee County Disadvantaged Business Enterprise (DBE) program, and the
69 Milwaukee County Code of General Ordinances, as it relates to the operation and
70 administration of the DBE program, be hereby amended to comply with the laws governing
71 participation by such firms on projects assisted with county and federal funds required by
72 recent federal regulatory changes and to clarify its operation and administration; and

73
74 BE IT FURTHER RESOLVED, that to ensure the above-noted revisions are properly
75 codified, the County Board of Supervisors does hereby adopt the following:

76
77 **An Ordinance**

78
79 To amend Chapter 32, 42, 44 and 56 of the General Ordinances of Milwaukee
80 County as appropriate to comply with federal legislative and regulatory changes related to
81 Title 49 of the Code of Federal Regulations, Part 26, that impact the Disadvantaged
82 Business Enterprise Program of Milwaukee County and to clarify the operation and
83 administration of the Disadvantaged Business Enterprise Program of Milwaukee County.

84
85 The County Board of Supervisors of the County of Milwaukee County does ordain
86 as follows:

87
88 **SECTION 1.** Sections 32.20(6), 32.23(4), 32.25(7)(d), 32.25(7)(e), 32.40(6), of the
89 General Ordinances of Milwaukee County are hereby amended as follows:

90

91 **32.20(6). - Words and phrases defined**

92

93 32.20(6) "Procurement" means buying, purchasing renting, leasing, or otherwise
94 acquiring any supplies, materials, equipment and contractual services. It also
95 encompasses all functions that pertain to obtaining the above including description
96 of requirements, selection and solicitation of sources, preparation and award of
97 contract and all phases of administration; including disadvantaged business
98 enterprise administration as defined in chapter 42, where applicable.
99

100 **32.23(4). - Purchasing standardization committee**

101

102 32.34(4) Hear appeals as defined in section 32.26 and 32.51.

103

104 **32.25(7)(d). - Purchasing and contracting procedure**

105

106 Notwithstanding any other provisions of this chapter to the contrary, where
107 adequate competition exists, the purchasing administrator shall have the authority,
108 in any situation where a contract is to be let through the bidding process, to reserve
109 such contract exclusively for vendors listed ~~on the minority business enterprise and~~
110 ~~women~~ as small business enterprises as defined in chapter 42.02(k). In such event,
111 the bid announcements shall indicate such reservation, citing this subsection as
112 authority therefor. Reservations by the purchasing administrator may be on a
113 commodity basis or on an individual contract basis.

114

115 **32.25(7)(e). - Purchasing and contracting procedure**

116

117 Annually the county board shall adopt by resolution a recommended minimum
118 percentage goal for the participation of disadvantaged business enterprise vendors in
119 contracts awarded pursuant to chapter 32. Such goals are not mandatory; however,
120 the purchasing administrator shall make diligent efforts to achieve or exceed such
121 annual participation goals. All written solicitations and notices for bids promulgated
122 or published pursuant to this chapter shall contain language advising potential
123 bidders of the provisions of this subsection

124

125 **32.40. - General**

126

127 32.40(6) Solicitation for services ~~affecting county employees~~ as defined in section
128 32.20(2) and (17) ~~shall be governed by section 56.30 with an aggregate value in~~
129 ~~excess of fifty thousand dollars (\$50,000) shall be approved by the county board~~
130 ~~prior to award. Approval shall not be requested until after completion of the protest~~
131 ~~and appeal process outlined in 32.50 and 32.51 of this section.~~

132

133 **SECTION 2.** Section 32.40(7) of the General Ordinances of Milwaukee County is
134 added as follows:

135

136 (7) Notwithstanding any other provisions of this chapter to the contrary, where
137 adequate competition exists, the purchasing administrator shall have the authority,
138 in any situation where a contract is to be let through the negotiated acquisition
139 process, to reserve such contract exclusively for vendors listed as small business
140 enterprises as defined in chapter 42.02(k). In such event, the solicitation
141 announcements shall indicate such reservation, citing this subsection as authority
142 therefore. Reservations by the purchasing administrator may be on a commodity
143 basis or on an individual contract basis.
144

145 **SECTION 3.** Title of Chapter 42 of the General Ordinances of Milwaukee County is
146 amended as follows:

147
148 **Chapter 42. - Title**

149
150 Chapter 42 - DISADVANTAGED BUSINESS ENTERPRISE AND AIRPORT
151 CONCESSION DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION IN
152 PROFESSIONAL SERVICES, TIME AND MATERIAL, AND PUBLIC WORKS
153 COUNTY CONTRACTING
154

155 **SECTION 4.** Sections 42.01, 42.02(1)(a), 42.02(1)(b), 42.02(1)(c), 42.02(1)(e),
156 42.02(1)(f), 42.02(1)(g), 42.02(1)(k), 42.03, 42.04, 42.04(1), 42.04(2), 42.04(3),
157 42.04(4), 42.04(5), 42.04(7), 42.04(8), 42.04(9), 42.04(10), 42.04(11), 42.04(12),
158 42.05, 42.05(1), 42.05(2), 42.05(3), 42.05(4), 42.06, 42.06(1), 42.06(2), 42.06(3),
159 42.06(4), 42.06(5), 42.06(5)(a), 42.06(5)(b), 42.06(5)(c), 42.06(5)(d), 42.06(5)(e),
160 42.07(1), 42.07(2), 42.07(3), 42.07(4), 42.07(5), 42.07(6), 42.07(7), 42.08(1),
161 42.08(2), 42.08(3), and 42.08(4) of the General Ordinances of Milwaukee County
162 are amended as follows:
163

164 **42.01. - Policy.**

165
166 Based upon the findings contained in county board file no. 92-474 and all other
167 documents and reports contained therein, it is the county's policy to comply with all
168 federal requirements relating to the Disadvantaged Business Enterprise (DBE)
169 Program and the Airport Concession Disadvantaged Business Enterprise (ACDBE)
170 Program ~~identified in section 42.02(2)(a) and to require opportunities for~~
171 ~~participation by Disadvantaged Business Enterprises (DBE) and Airport Concession~~
172 ~~Disadvantaged Business Enterprises (ACDBE) DBE and ACDBE firms in county~~
173 ~~professional services, time and material, and public works contracting.~~ The
174 provisions of this chapter will apply to both county and federally funded projects.
175

176 Disadvantaged Business Enterprises Program and Airport Concession Disadvantaged
177 Business Enterprises Program for all projects funded with federal money, including
178 but not limited to the Federal Transit Administration (FTA), Federal Aviation
179 Administration (FAA) and Federal Highway Administration (FHWA) shall comply
180 with Title 49 of the Code of Federal Regulations, Parts 23 and 26, as amended from

181 time to time, and all other appropriate federal laws and regulations, as applicable,
182 now in effect or to take effect in the future.

183
184 **42.02. - Definitions.**

185
186 (1) For all projects subject to this chapter funded with federal and county
187 money and those funded only by county money, the following definitions shall
188 apply;

189
190 (a) *Airport concession disadvantaged business enterprise (ACDBE)* means a
191 concession that is a for-profit small business concern (1) that is at least fifty-one
192 (51) percent owned by one (1) or more individuals who are both socially and
193 economically disadvantaged, or in the case of a corporation, in which fifty-one
194 (51) percent of the stock is owned by one (1) or more such individuals; and (2)
195 and whose management and daily operations are controlled by one (1) or more
196 socially and economically disadvantaged individuals who own it.

197
198 (b) *Commercially useful function.* ~~In addition to the herein described~~
199 ~~definitions, various standard and criteria, as developed by the director of~~
200 ~~transportation and public works, and approved by the county board, will be~~
201 ~~implemented in conjunction with and by the Community Business~~
202 ~~Development Partners Office or such other process as recommended by the~~
203 ~~Director of the Community Business Development Partners Office and~~
204 ~~approved by the county board in order to determine eligibility and certification~~
205 ~~of a disadvantaged business enterprise or an airport concession disadvantaged~~
206 ~~business enterprise. A DBE performs a commercially useful function when it is~~
207 ~~responsible for execution of the work of the contract and is carrying out its~~
208 ~~responsibilities by actually performing, managing, and supervising the work~~
209 ~~involved. To perform a commercially useful function, the DBE must also be~~
210 ~~responsible, with respect to materials and supplies used on the contract, for~~
211 ~~negotiating price, determining quality and quantity, ordering the material, and~~
212 ~~installing (where applicable) and paying for the material itself. To determine~~
213 ~~whether a DBE is performing a commercially useful function, all facts and~~
214 ~~circumstances are considered including, but not limited to, the amount of work~~
215 ~~subcontracted, industry practices, whether the amount the firm is to be paid~~
216 ~~under the contract is commensurate with the work it is actually performing and~~
217 ~~the DBE credit claimed for its performance of the work, and other relevant~~
218 ~~factors.~~

219
220 (c) *Concession* means one (1) or more of the types of for-profit businesses
221 defined in 49 CFR Part 23, Section 23.3 under the definition listed in
222 paragraphs (1) or (2) of this definition:

223
224 (1) A business, located on an airport that is engaged in the sale of
225 consumer goods or services to the public under an agreement with

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Milwaukee County, another concessionaire, or the owner or lessee of a terminal, if other than Milwaukee County; or

(2) A business conducting one (1) or more of the following covered activities, even if it does not maintain an office, store, or other business location on an airport, as long as the activities take place on the airport: management contracts and subcontracts, a web-based or other electronic business in a terminal or which passengers can access at the terminal, an advertising business that provides advertising displays or messages to the public on the airport, or a business that provides goods and services to concessionaires.

~~(e) *Disadvantaged business enterprise (DBE)* means a for-profit small business concern which is at least fifty-one (51) percent owned by one (1) or more individuals who are both socially and economically disadvantaged or, in the case of a corporation in which fifty-one (51) percent of the stock is owned by socially and economically disadvantaged individuals who own it. *Contract* means a legally binding relationship obligating a seller to furnish supplies or services (including, but not limited to, construction and professional services) and the buyer to pay for them. For purposes of this part, a lease is considered to be a contract.~~

~~(f) *Good faith efforts* means efforts to achieve a DBE or ACDBE goal or other requirement, which by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement. *Disadvantaged business enterprise (DBE)* means a for-profit small business concern which is at least fifty-one (51) percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation in which fifty-one (51) percent of the stock is owned by one or more such individuals; and whose management and daily operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.~~

~~(g) *Good faith effort waiver* refers to a request to use a prime contractor/consultant in the event that the DBE or ACDBE goal cannot be met. *Good faith efforts* means efforts to achieve a DBE or ACDBE goal or other requirement, which by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement.~~

~~(k) *Socially and economically disadvantaged individual* means any individual who is a citizen (or a lawful permanent resident) of the United States and who is a member of one (1) of the following groups:~~

~~(1) Any individual who the county on a case-by-case basis determines is socially and economically disadvantaged;~~

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~~(2) Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:~~

~~(i) "African Americans" which includes persons having origins in any of the black racial groups of Africa;~~

~~(ii) "Hispanic Americans" which includes persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race;~~

~~(iii) "Native Americans" which includes persons who are American Indians, Eskimos, Aleuts or Native Hawaiians;~~

~~(iv) "Asian Pacific Americans" which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Burnei, Samoa, Guam, the U.S. Trust Territories of the Pacific and Northern Marianas, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia or Hong Kong;~~

~~(v) "Sub-continent Asian Americans" which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;~~

~~(vi) Women;~~

~~(vii) Any additional groups whose members are designated as socially and economically disadvantaged by the United States Small Business Administration at such time the United States Small Business Administration designation becomes effective. *Small business enterprise (SBE)* means an organized, for-profit business that is independently owned and operated and not dominant in its field. Depending on the industry, size standard eligibility is based on the average number of employees for the preceding twelve months or on sales volume average over a three-year period. In no case will a firm be an eligible SBE in any Federal fiscal year if the firm (including its affiliates) has had average annual gross receipts, as defined by United States Small Business Administration (SBA) regulations (see 13 CFR 121.402), over the firm's previous three fiscal years in excess of \$22.41 million, or if the owner(s) of the firm exceed the personal net worth (PNW) described in 49 CFR Part 26.~~

42.03. - Enforcing office department.

316 The community business development partners ~~office~~ department will be the
317 enforcing ~~office department~~ and is hereinafter referred to as "CBDP" office.

318

319 **42.04. - Function of the ~~office of~~ community business development partners department**
320 **(CBDP).**

321

322 (1) In accordance with 49 CFR Parts 23 and 26, the ~~office of the~~ director of the
323 ~~community business development partners~~ CBDP is designated as the county's
324 disadvantaged business enterprise liaison officer ("DBELO") and the airport
325 concession disadvantaged business enterprise liaison officer ("ACDBELO").

326

327 (2) Recommend to the county board appropriate annual percentage requirements for
328 DBE and ACDBE participation in county ~~professional services, time and materials~~
329 ~~and public works~~ contracting. The director shall ensure that the overall ~~annual~~
330 ~~triennial~~ DBE and ACDBE percentage goals, including race neutral and race
331 conscious components, are set in accordance with the requirements of 49 CFR Parts
332 23 and 26 as currently enforced or as amended.

333

334 (3) The director shall recommend to the county board other appropriate policies
335 which encourage SBE, DBE and ACDBE participation in county ~~professional~~
336 ~~services, time and materials and public works~~ contracting.

337

338 (4) In consultation with the county's office of corporation counsel, the director shall
339 revise and/or update the ~~disadvantaged business enterprise~~ DBE utilization
340 specifications language to ensure such language is included in ~~professional services~~
341 ~~county~~ contracts.

342

343 (5) The director shall establish SBE, DBE and ACDBE contract compliance
344 monitoring procedures.

345

346 (7) The ~~office department~~ shall report annually to the county board on SBE, DBE and
347 ACDBE participation levels on all contracts subject to this chapter. The director shall
348 provide outreach services to ~~SBEs~~, DBEs and ACDBEs and community organizations
349 to advise them of contracting opportunities with the county.

350

351 (8) The director shall ensure that department/division heads and contract
352 administrators make available bid notices and requests for proposals to SBEs, DBEs
353 and ACDBEs in a timely manner.

354

355 (9) The director shall assist department/division heads and contract administrators to
356 identify contracts where DBE and ACDBE race conscious and race neutral goals can
357 be included in contract solicitations.

358

359 (10) ~~Professional services and County~~ contracts may not be awarded without the
360 written approval of the CBDP director or designee who will ensure that the required

361 SBE, DBE or ACDBE participation is included on all contracts.

362

363 (11) All contract solicitations subject to this chapter will require the approval of
364 the CBDP director or designee who will ensure that an appropriate DBE or ACDBE
365 goal is assigned and/or consideration is given to participation by SBEs.

366

367 (12) The CBDP office is responsible for reviewing and approving good faith effort
368 waiver requests when the contractually assigned DBE or ACDBE goal cannot be
369 not met by a contractor or consultant.

370

371 **42.05. - Certification of disadvantaged business enterprises (DBE) and airport**
372 **disadvantage business enterprises (ACDBE) DBEs and ACDBEs, and verification of SBEs.**

373

374 (1) The certification of DBE and ACDBE, and verification of SBE firms shall be
375 the responsibility of the CBDP office.

376

377 (2) Certification of DBE firms and ACDBE firms shall be governed by the standards
378 and guidelines of 49 CFR Parts 23 and 26 and the processes and procedures
379 established by the Wisconsin Unified Certification Program (WIUCP). Verification
380 of SBE firms shall be governed by these same standards, minus any and all reference
381 to race, gender and/or social disadvantage.

382

383 (3) As a member of the Wisconsin Unified Certification Program (WIUCP), all
384 denials of initial certification and recertification removal decisions by the CBDP
385 office may be appealed to the WIUCP in accordance with 49 CFR Parts 23 and 26.

386

387 (4) The CBDP director is authorized to establish new or amended procedures for
388 certification and recertification in accordance with the WIUCP agreement signed by
389 the county and the members of the WIUCP and 49 CFR Parts 23 and 26.

390

391 **42.06. - Professional services and other non-professional service contracting.**

392

393 All county departmental and institutional department/division heads and contract
394 administrators are required to provide written notification to the CBDP office as
395 further described herein prior to entering into soliciting for professional services and
396 other non-professional services contracts as defined in sections 32.20(2) and (17)
397 and 56.30 of this Code. Annual percentage goals for DBE and ACDBE participation
398 on professional and non-professional services contracts either at the prime or sub-
399 contracted level, will be established as set forth by county ordinance.

400

401 (1) Regardless of the dollar amount of the contract, all county
402 department/division heads and contract administrators are required to notify the
403 office CBDP in writing prior to publication of an RFP or an RFQ. The
404 department/division heads and contract administrators are is required to submit an
405 approved CBDP a DBE participation recommendation form to the CBDP office for

406 approval. ~~The office will then furnish to the department administrator a list of~~
407 ~~certified DBEs and ACDBEs that the department administrator shall use in its~~
408 ~~selection process unless waived for good cause by the CDBP office upon written~~
409 ~~request from the department administrator. Written request from the department~~
410 ~~administrator shall involve the CDBP office in development of CDBP will~~
411 ~~provide DBE or ACDBE specification language to be utilized in the appropriate~~
412 ~~selection process. The department/division head and/or contract administrator shall~~
413 ~~notify the office and the controller, in writing, of its selection regardless of whether~~
414 ~~or not a DBE or ACDBE is selected. No contract shall be issued without review and~~
415 ~~written approval by the CDBP office that provisions of this section have been met.~~

416
417 (2) ~~If the proposer selected is not a DBE or ACDBE, department administrators shall~~
418 ~~be responsible for working with the CDBP office to utilize a DBE or ACDBE in any~~
419 ~~subcontracting work by the departmental or institutional administrator in~~
420 ~~consultation with the CDBP office, unless waived for good cause by the director of~~
421 ~~the CDBP office. CDBP will establish, where feasible, a percentage, up to the total~~
422 ~~contract value, of prime contract and subcontract awards to be set aside for~~
423 ~~participation by SBEs during DBE participation recommendation review. A "set~~
424 ~~aside" is the reserving of a contract or a portion of a contract exclusively for~~
425 ~~participation by SBEs, regardless of the owner's race or gender.~~

426
427 (3) ~~It is the intention and purpose of this section and the process described herein, in~~
428 ~~addition to procedure and process further detailed in the administrative manual~~
429 ~~code regarding this section, that each department attain the minimum goal as~~
430 ~~established by the county either at or through the prime or subcontracted level.~~
431 ~~CDBP requires contractors/consultants to submit DBE documentation with their~~
432 ~~original bid/proposal as a matter of responsiveness. CDBP shall provide~~
433 ~~department/division heads and contract administrators with the appropriate DBE~~
434 ~~specification language, required contract provisions, instructions, forms and~~
435 ~~procedures to be included with the bid/proposal solicitations. The~~
436 ~~department/division head or contract administrator shall forward all DBE~~
437 ~~submissions to CDBP. CDBP will review responses to assure submission of the~~
438 ~~required forms and documentation. CDBP shall make determinations as to~~
439 ~~bidder/proposer responsiveness to DBE requirements, and may reject and remove~~
440 ~~from further consideration all bids/proposals submitted without proper~~
441 ~~documentation.~~

442
443 (4) ~~The department/division heads and contract administrators will assist the office~~
444 ~~by submitting quarterly DBE and ACDBE reports that will enable the CDBP office to~~
445 ~~monitor DBE and ACDBE compliance. All final payment requests must be~~
446 ~~accompanied by a signed affidavit verifying that the DBE or ACDBE requirements~~
447 ~~have been met. The owner department shall require all prime~~
448 ~~contractors/consultants to submit a DBE or ACDBE utilization report with all~~
449 ~~payment requests. Copies of utilization reports and payment requests shall be~~
450 ~~forwarded to CDBP for review. Department/Division heads and contract~~

451 administrators shall ensure that all final payment requests are accompanied with a
452 signed affidavit verifying that the DBE and/or ACDBE requirement has been met,
453 either at the prime or sub-contracted level.
454

455 ~~(5) It shall be the responsibility of the department administrators to conform to the~~
456 ~~provisions of this section to ensure utilization of DBEs on county professional~~
457 ~~service contracts. All directors of county departments must submit an annual~~
458 ~~disadvantaged business enterprise or airport concession disadvantaged business~~
459 ~~enterprise utilization plan by February 1 of each year to the CDBP office. The plan~~
460 ~~shall provide the following information Department/Division heads and contract~~
461 ~~administrators shall comply with the provisions of this section to ensure utilization~~
462 ~~of DBE and ACDBE firms on county professional and non-professional service~~
463 ~~contracts. All department/division heads shall submit annually to CDBP a~~
464 ~~DBE/ACDBE utilization plan form by December 15 each year. The plan shall~~
465 ~~provide the following information:~~
466

- 467 (a) Total number of projected professional and non-professional services
468 contracts to be awarded by department/division for the year.
469
- 470 (b) Total value of professional and non-professional services contracts to be
471 awarded and a dollar value by contract type.
472
- 473 (c) Designation of a department and/or division staff person as contact
474 person(s) for professional and non-professional services contracts.
475
- 476 (d) ~~Department's plan to secure participation of DBEs and ACDBEs in~~
477 ~~professional services contracts which shall include:~~
478
- 479 ~~(1) Contracts where DBEs or ACDBEs will be included in the request~~
480 ~~for qualifications (RFQ) or request for proposal (RFP) process.~~
481
- 482 ~~(2) Contracts where proposals can informally be solicited from and~~
483 ~~awarded to DBEs and ACDBEs. Value of contracts/subcontracts the~~
484 ~~department/division estimates will be awarded to DBEs or ACDBEs on~~
485 ~~professional and non-professional services contracts.~~
486
- 487 (e) ~~Value of contracts/subcontracts the department estimates will be~~
488 ~~awarded to DBEs or ACDBEs on professional services contracts. Percentage~~
489 ~~of total contract dollars that the department/division estimates will be~~
490 ~~awarded to DBEs or ACDBEs.~~
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492 **42.07. - Construction contracting.**
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- 494 (1) The owner department of public works shall consult with the CDBP office to
495 determine an appropriate goal on all contracts.

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(2) ~~The owner department shall be required to~~ submit an approved DBE participation recommendation form for each ~~public works~~ project. CDBP will establish, where feasible, a percentage, up to the ~~total contract value~~, of prime contract and subcontract awards to be set aside for participation by SBEs during DBE participation recommendation review. A "set aside" is the reserving of a contract or a portion of a contract exclusively for participation by SBEs, regardless of the owner's race or gender.

(3) ~~The CDBP director shall provide the director of public works~~ the owner department with appropriate DBE specification language and required contract provisions to be included in bidding and contract documents.

(4) ~~The department administrator shall ensure that the prime contractor shall comply with the assigned DBE or ACDBE goal and/or with the requirements of 49 CFR Part 26, and make a good faith effort to achieve the required DBE or ACDBE participation. If the prime contractor is unable to meet the required DBE or ACDBE participation, the prime contractor must submit a good faith effort waiver request to the CDBP office. CDBP requires contractors/consultants to submit DBE documentation with their original bid/proposal as a matter of responsiveness. CDBP shall provide department/division heads and contract administrators with the appropriate DBE specification language, required contract provisions, instructions, forms and procedures to be included with the bid/proposal solicitations. The department/division head or contract administrator shall forward all DBE submissions to CDBP. CDBP will review responses to assure submission of the required forms and documentation. CDBP shall make determinations as to bidder/proposer responsiveness to DBE requirements, and may reject and remove from further consideration all bids/proposals submitted without proper documentation.~~

(5) ~~The owner department of public works shall require the all prime contractors/consultants to submit a DBE or ACDBE utilization report with all payment requests. Copies of utilization reports and payment requests should~~ shall be forwarded to the CDBP office for review.

(6) ~~The department administrator~~ Department/Division heads and contract administrators shall ensure that all final payment requests ~~must be~~ are accompanied with a signed affidavit verifying that the DBE and/or ACDBE requirement has been met, either at the prime or subcontracted level.

(7) ~~The owner department of public works shall submit an annual list of approved public works projects as defined in chapter 44, section 44.001, whether funded with federal funds or solely with county funds. The director of public works the owner department must submit the disadvantaged business enterprise DBE/ACDBE utilization plan by December 15 of each year to the CDBP office based on the county board adopted budget. The list shall provide the following information:~~

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- (a) A listing by division within the department of types of contracts to be awarded and a dollar value by contract type based on the county board adopted budget.
- (b) Designation of a department staff person as contact person(s) for each construction contract.

42.08. - Enforcement and monitoring.

(1) Compliance reviews and audits. ~~During contract performance, the~~ The county and CDBP reserves the right to conduct compliance reviews and request, both from the prime contractor/consultant and ~~DBE~~ DBE subcontractors/subconsultants or ~~ACDBE~~ ACDBE concessionaires, documentation ~~that would indicate~~ necessary to verify level of compliance. If the contractor/vendor is not in compliance with DBE and/or ACDBE contract requirements, CDBP will notify the contractor/vendor in writing of corrective action to be taken.

(2) If the contractor/consultant fails or refuses to take corrective action within the time specified in the notice, the county at CDBP's request, may terminate or cancel the contract, in whole or in part; withhold payments on the contract until DBE and/or ACDBE contract compliance issues are resolved to the county's satisfaction; or impose other appropriate sanctions, including the one identified in section 42.08(3) below. The director of the owner department of ~~public works or~~ appropriate department head shall be notified by the director of the CDBP office when sanctions are made against a contractor/consultant.

(3) The director of the CDBP office or designee shall have the authority to withhold contractor/consultant payments until DBE and/or ACDBE participation requirements have been met. If the contractor/consultant has completed its contract, and the goal was not met due to an absence of good faith on the part of the contractor/consultant, the proper measure of damages for such noncompliance shall be the dollar amount of the unmet portion of the DBE and/or ACDBE goal. The county may in such case retain any unpaid contract amounts and retainage otherwise due the contractor/consultant, up to the amount of the unmet goal. Milwaukee County may bring suit to recover damages up to the amount of unmet goal, including interest at the rate of twelve (12) percent annually, plus the county's costs, expenses and actual attorney's fees incurred in the collection action.

(4) Pursuant to 49 CFR Part 26 it is county policy to ensure that all subcontractors or subconsultants are promptly paid within seven (7) days of the prime contractor/consultant receiving payment from the county, for all work satisfactorily completed. In the event a prime ~~contractor or prime~~ contractor/consultant fails to pay ~~subcontractors or subcontractors~~ subcontractors/subconsultants within the stated time frame, the CDBP director or designee may direct the owner department or accounts

586 payable head to withhold payment to the prime contractor/consultant or impose
587 other appropriate sanctions in accordance with county ordinance. The CBDP
588 director or designee may authorize a waiver of the requirements of this chapter, as
589 determined by CBDP pursuant to section 42.04(1), on a contract-by-contract basis,
590 upon good cause shown.

591
592 **SECTION 5.** Section 42.02(1)(l) of the General Ordinances of Milwaukee County is
593 added as follows:

594
595 **42.02(1)(l)** *Socially and economically disadvantaged individual* means any
596 individual who is a citizen (or lawfully admitted permanent resident) of the United
597 States and who is—

598
599 (1) Any individual who the county finds to be a socially and economically
600 disadvantaged individual on a case-by-case basis

601
602 (2) Any individual in the following groups, members of which are rebuttably
603 presumed to be socially and economically disadvantaged:

604
605 (i) "Black Americans" which includes persons having origins in any of
606 the black racial groups of Africa;

607
608 (ii) "Hispanic Americans" which includes persons of Mexican, Puerto
609 Rican, Cuban, Dominican, Central or South American or other
610 Spanish or Portuguese culture or origin, regardless of race;

611
612 (iii) "Native Americans" which includes persons who are American
613 Indians, Eskimos, Aleuts or Native Hawaiians;

614
615 (iv) "Asian Pacific Americans" which includes persons whose origins
616 are from Japan, China, Taiwan, Korea, Burma (Myanmar),
617 Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia,
618 Indonesia, the Philippines, Burnei, Samoa, Guam, the U.S. Trust
619 Territories of the Pacific Islands (Republic of Palau), the
620 Commonwealth of the Northern Marinas, Macao, Fiji, Tonga,
621 Kirbati, Juvalu, Nauru, Federated States of Micronesia or Hong
622 Kong;

623
624 (v) "Sub-continent Asian Americans" which includes persons whose
625 origins are from India, Pakistan, Bangladesh, Bhutan, the
626 Maldives Islands, Nepal or Sri Lanka;

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628 (vi) Women;

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630 (vii) Any additional groups whose members are designated as socially

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and economically disadvantaged by the SBA at such time the SBA designation becomes effective.

SECTION 6. Section 42.06(5)(f) of the General Ordinances of Milwaukee County is deleted in its entirety:

~~42.06(5)(f) — Percentage of total contract dollars that the department estimates will be awarded to DBEs or ACDBEs.~~

SECTION 7. Sections 44.07(c), 44.16, 44.16(1), and 44.16(3) of the General Ordinances of Milwaukee County are amended as follows:

44.07. - Bid requirements, disqualification and rejection of bids.

(c) *List of subcontractors.* Each bidder shall submit with the bid a list of subcontractors (or material suppliers when required by the bid documents), with whom it proposed to contract and the class of work to be performed by each. To qualify for such listing, each subcontractor must first submit a bid in writing to the contractor at least forty-eight (48) hours prior to time of bid closing. The list shall not be altered without written consent of the county. ~~A Except the listing of disadvantaged business enterprises, as defined by Milwaukee County Ordinance § 42.02(1)(f), to be used as subcontractors in the bid, a bid shall not be invalid if any subcontractor and the class of work to be performed has been omitted. The Except for omissions of the names of disadvantaged business enterprises and the class of work they are to perform, the omission shall be considered inadvertent or a representation that the bidder will perform the work. If inadvertent, the bidder shall supply the list of subcontractors or material suppliers within three (3) working days from date and time of bid opening. Bid may be rejected upon failure to comply.~~

44.16. - Minority/women Disadvantaged business enterprise program.

Legislative intent: To assure that all county construction, repair or remodeling or improvement contractors for any public works shall be awarded only on the basis of ability or potential to do the job, and to assure full participation of all qualified individuals:

- (1) ~~The minority and women's disadvantaged business enterprise (DBE) program authority and procedures shall apply as set forth in chapter 42 of the Code.~~
- (2) Any act required to be performed or prohibited by chapter 42 of the Code is hereby incorporated herein by reference.
- (3) ~~The director of the department of public works~~ appropriate director of transportation (or designee) or the director of administrative services (or designee) is further authorized and empowered by this section to effectuate and establish appropriate procedures, standards and bid specifications to implement

676 and achieve the county policies and goals contained in chapter 42.

677

678 **SECTION 8.** Sections 56.30(1)(a), 56.30(1)(b), 56.30(1)(d), 56.30(1)(e), 56.30(2)(a),
679 56.30(2)(b), 56.30(2)(d), 56.30(6)(g), and 56.30(8)(a) of the General Ordinances of
680 Milwaukee County are amended as follows:

681

682 **56.30(1) - Definitions.**

683

684 (a) "Professional services" means services, the value of which is substantially
685 measured by the professional competence of the person performing them and which
686 are not susceptible to realistic competition by cost of services alone. The services
687 provided must be materially enhanced by the specific expertise, abilities,
688 qualifications and experience of the person that will provide the service.

689 Professional services shall typically include services customarily rendered by
690 architects; engineers; surveyors; real estate appraisers; certified public accountants;
691 attorneys; financial personnel; medical services, except when such services are
692 delivered to county employees as part of a workers compensation claim; system
693 planning; management and other consultants; and services for promotional
694 programs. Administrative Manual Procedure 4.13 on professional services DBE
695 Contracting Requirements provides additional definition regarding services that
696 meet professional service contracting requirements under this ordinance. If a
697 department administrator or other department personnel is uncertain if their contract
698 should follow professional service contracting provisions under this ordinance, the
699 department administrator must make a request of Corporation Counsel for final
700 clarification, before beginning the contracting procedures.

701

702 (b) "Services" means the furnishing of labor, time or effort by a contractor/consultant,
703 not involving the delivery of a specific end product other than usual reports and/or
704 drawings which are incidental to the required performance.

705

706 (d) "Contractor" means a firm or individual who formally undertakes to do anything
707 for another. Independent contractors must maintain a separate business and hold
708 themselves out to and render service to the general public and must have a right to
709 control the details of the work performed. Questions regarding independent
710 contractor status must be directed to Corporation Counsel. Appendix F lists federal
711 criteria to be considered in determining independent contractor status.

712

713 (e) "Contract" means ~~an agreement between two (2) or more persons to do or not to~~
714 ~~do something~~ a legally binding relationship obligating a seller to furnish supplies or
715 services (including, but not limited to, construction and professional services) and
716 the buyer to pay for them. For purposes of this part, a lease is considered to be a
717 contract.

718

719 **56.30(2) - Policy.**

720

721 (a) *General policy statement.* All county departments and institution administrators
722 are responsible for procuring professional services and for soliciting, negotiating and
723 entering into ~~service contracts as defined in section 32.20(17)~~ in accordance with
724 the provisions of this section. However, the office of the county executive and the
725 county board shall be exempt from the provisions contained herein as shall be the
726 department of administration for the purpose of securing credit rating services
727 related to debt issuance and administration.

728
729 (b) *Disadvantaged business enterprise requirement.* All county departments and
730 institutions administrators are required to notify the ~~disadvantaged business~~
731 ~~development~~ Community Business Development Partners department (CBDP)
732 division in writing prior to ~~entering into soliciting for professional service contracts~~
733 ~~and service contracts as defined in section 32.20(17)~~ contract opportunities. Annual
734 percentage goals for DBE participation on professional services contracts will be
735 established as set forth by county ordinance. The procedures to be followed by
736 departments regarding DBE participation shall conform to provisions as contained in
737 chapter 42. No professional services contract ~~or service contract as defined in~~
738 ~~section 32.20(17)~~ shall be issued without review and written approval by the CBDP
739 ~~division~~ that all provisions of chapter 42 regarding disadvantaged business
740 participation have been met.

741
742 (c) *Reference to ordinance and administrative manual.* When a county
743 department/~~division head or contract administrator or institution~~ is preparing to
744 begin a contract for professional services the department/~~division head or contract~~
745 ~~administrator should~~ shall follow the ~~ordinances requirements~~ of this section 56.30,
746 and chapter 42 on the requirements for using disadvantaged business enterprises in
747 county contracting, including professional services, and administrative manual
748 section 1.13, which provides further guidance on complying with professional
749 service contracting requirements.

750

751 56.30(6) - Policy.

752

753 (g) All county ~~departments and institutions~~ department/~~division heads and contract~~
754 ~~administrators~~ are required to notify the Community Business Development Partners
755 ~~division~~ department (CBDP) in writing prior to ~~entering into soliciting for~~
756 professional services contracts. Annual percentage goals for DBE participation on
757 professional services contracts will be established as set forth by county ordinance.
758 The procedures to be followed by departments regarding DBE participation shall
759 conform to provisions as contained in Chapter 42. No professional services contract
760 shall be issued without review and written approval by the CBDP ~~division~~ that all
761 provisions of Chapter 42 regarding disadvantaged business participation have been
762 met.

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56.30(8) - Controller responsibility.

- (a) The controller shall, on a quarterly basis, summarize the reports received from department administrators concerning professional services contracts and send one (1) copy to the committee on finance and audit and one (1) copy to the county executive and one (1) copy to the CBDP office.

SECTION 9. Sections 56.30(1)(f) and 56.30(1)(g) of the General Ordinances of Milwaukee County are removed in their entirety:

56.30(1) - Definitions.

~~(f) "Medical services" means services provided by a licensed or recognized health care professional, professional group, ambulance or medical transportation services operated by governmental units, medical laboratories or companies of medical supplies or equipment to county employees whose injury is considered a workers compensation claim. Hospitals, community based clinics, faculty physicians and surgeons or other physicians operating from Froedtert Memorial Lutheran Hospital, non-municipality operated ambulance and medical transportation providers are excluded from this definition.~~

~~(g) "Service contract" means an agreement primarily related to staff services including, but not limited to, housekeeping, security, landscaping, maintenance and other non-professional services.~~

SECTION 10. This ordinance shall become effective upon publication.

jlh
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 14, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Fiscal impact of County Ordinance modifications to Chapters 32, 42, 44 and 56 as a result of Federal regulation changes directly impacting Milwaukee County's Disadvantaged Business Enterprise (DBE) Program.

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

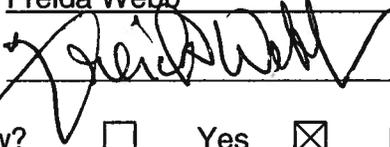
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The compliance of the Milwaukee County DBE Program with the regulations of the USDOT is implicitly spelled out. Title 49 of the Code of Federal Regulations, Part 26.21(c) states, "You are not eligible to receive DOT financial assistance unless DOT has approved your DBE program and you are in compliance with it and this part" with reference being to the whole of Part 26. These Ordinance changes are necessary to maintain compliance therewith, and passage will ensure that Milwaukee County maintains compliance with Federal regulations and continues to receive USDOT funding for its airport and transit operational, administrative and capital development projects.

B. There are no additional direct costs related to these County Ordinance changes.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Freida Webb

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 64) From the Director, Community Business Development Partners, requesting authorization to submit necessary Disadvantaged Business Enterprise (DBE) 2012 Program updates, by recommending adoption of the following:

A RESOLUTION

WHEREAS, on November 5, 1992, the Milwaukee County Board of Supervisors adopted File No. 92-474, which established that Federal Certification guidelines as established in Title 49 of the Code of Federal Regulations (49 CFR) Part 23 be implemented for all County Disadvantaged Business Enterprise (DBE) certification programs; and

WHEREAS, on April 22, 1999, following the direction of the United States Department of Transportation (USDOT), the Milwaukee County Board of Supervisors adopted File No. 99-216(b), which adopted the definitions of 49 CFR Part 26 replacing those of the deleted 49 CFR Part 23; and

WHEREAS, USDOT requires mandatory DBE program updates from all recipients of USDOT financial assistance by February 28, 2012, per 49 CFR Part 26; and

WHEREAS, following the directives prescribed in 49 CFR Part 26, Community Business Development Partners (CBDP) has completed the necessary updates to Milwaukee County's DBE program in order to maintain compliance with this federal requirement; and

WHEREAS, subsequent USDOT approval of Milwaukee County's updated DBE program is a condition of eligibility for continued Federal Aviation Administration and Federal Transportation Administration financial assistance; and

WHEREAS, the Committee on Transportation, Public Works, and Transit, at its meeting of February 29, 2012, recommended approval of the Director of CBDP's request (vote 6-0); and

WHEREAS, the Committee on Economic and Community Development; at its meeting of March 5, 2012, concurred with the Committee on Transportation, Public Works, and Transit and also recommended approval of the Director of CBDP's request (vote 5-0); now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes and directs the Department of Community Business Development Partners to submit the updated Milwaukee County Disadvantaged Business Enterprise Program plan to the Federal Aviation Administration and the Federal Transit Administration for approvals.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 14, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Resolution by the County Board of Supervisors authorizing Community Business Development Partners (CBDP) to submit the updated Milwaukee County Disadvantaged Business Enterprise (DBE) Program plan to the United States Department of Transportation (USDOT) as prescribed in Title 49 of the Code of Federal Regulations, Part 26.

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

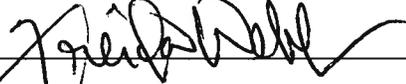
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The submission of significant changes to the Milwaukee County DBE Program by CDBP to the appropriate USDOT Operating Administration, in this case FAA & FTA, from whom funds are received is a requirement of all recipients, per 49 CFR 26.21(b)(2). Significant changes are noted in Sections 26.37, 26.39 and 26.47, as well as in the Policy Statement. This resolution will ensure that Milwaukee County maintains compliance with Federal regulations and continues to receive USDOT funding for its airport and transit operational, administrative and capital development projects.

B. There are no additional direct costs related to this updated DBE Program being submitted to USDOT.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By Freida Webb

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

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(ITEM 65) From the Director, Department of Transportation, requesting authorization to enter into a Professional Services Agreement for legal services - real estate law, to represent Milwaukee County in the Zoo Interchange meetings, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, the Department of Transportation entered into a Professional Services Agreement with Michael Best Law Firm-Real Estate Law to expedite negotiations with the State of Wisconsin regarding the Zoo Interchange Project; and

WHEREAS, the Professional Services Agreement was not signed before a meeting was commenced to ensure that the best interest of Milwaukee County was represented in conversations with the State of Wisconsin and the Zoo Interchange and the request to utilize County property located out on the County grounds; and

WHEREAS, the Department is requesting approval for the \$50,000 Professional Services Agreement and requests a recommendation to exceed the cap or submit the representations via a Request for Proposals (RFP) for real estate law services; and

WHEREAS, the Zoo Interchange is on the fast track regarding the construction schedule which would involve segments of property located out on the County grounds; now, therefore,

BE IT RESOLVED that the Director, Department of Transportation, is hereby authorized to enter into a Professional Services Contract with Michael Best law firm for Real Estate Law services related to the Zoo Interchange property negotiations not to exceed \$50,000 unless otherwise directed and to make payment on incurred expenses.

jl
02/17/2012
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 14, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Professional Services Contract for Legal Services for the Zoo Interchange

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|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of Contingent Funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue	\$50,000	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

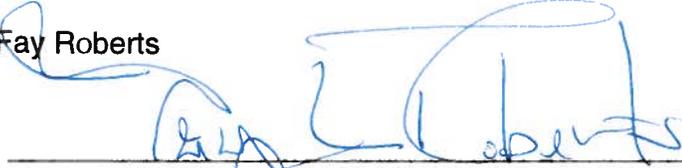
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Dealing with the zoo interchange real estate issues, which are time sensitive and the user departments benefiting from the negotiations will be cross-charged. The department is seeking to utilize the revenue from the towing contracts to cover the costs, estimating at \$250,000.

Department/Prepared by: Fay Roberts

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Reviewed by:

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 66) A resolution by Supervisors Holloway, Johnson, and Mayo endorsing the principles and recommendations of the Milwaukee County Apprenticeship Work Group (MCAWG), by recommending adoption of the following:

A RESOLUTION

WHEREAS, in April 2008, the Milwaukee County Board of Supervisors established the Milwaukee County Apprenticeship Work Group (MCAWG); and

WHEREAS, MCAWG was created to monitor and recommend quality and continuous improvement measures relative to apprenticeship programs and standards within Milwaukee County; and

WHEREAS, the general charge of the work group was to enhance and improve apprenticeship standards, awareness, education, and recruitment methods in order to increase diversity among apprenticeship components of Milwaukee County's labor force; and

WHEREAS, MCAWG's objectives included, but were not limited to, the following:

1. Increase education and awareness of apprenticeship programs and opportunities within Milwaukee County.
2. Identify and target potential funding sources and grants to increase employer-driven paid training.
3. Collaborate with City of Milwaukee, Milwaukee Public Schools, Milwaukee Area Technical College and State of Wisconsin to support skills training to increase apprenticeship opportunities.
4. Work with the State to reform apprenticeship selection formulas to increase testing scores and make apprentice trades more open and available to central city residents.

; and

WHEREAS, MCAWG was made up of nine appointed members who have experience regarding apprenticeship programming and standards from an array of backgrounds; and

WHEREAS, MCAWG has compiled a comprehensive report (see attached) which includes data, information from numerous presenters, and other related areas of apprenticeship programs and standards, and research literature; and

46 WHEREAS, after an extensive, thorough, multi-year review of the state of
47 apprenticeship opportunities and challenges facing minorities, MCAWG submits its
48 recommendations and findings for County Board approval in order to be implemented; and
49

50 WHEREAS, the Committee on Transportation, Public Works, and Transit, at its
51 meeting of February 29, 2012, recommended approval of the said resolution (vote 6-0);
52 and
53

54 WHEREAS, the Committee on Economic and Community Development; at its
55 meeting of March 5, 2012, concurred with the Committee on Transportation, Public
56 Works, and Transit and also recommended approval of the said resolution (vote 6-0); now,
57 therefore,
58

59 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby endorses the
60 principles and recommendations as outlined by the Milwaukee County Apprenticeship
61 Work Group's (MCAWG) final report; and
62

63 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors requests
64 the Governor, State of Wisconsin, to restore Executive Order 108, which would require
65 employers awarded state construction contracts to participate in Wisconsin's
66 apprenticeship program; and
67

68 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors authorizes
69 and directs the Director, Department of Transportation, and the Director, Department of
70 Administrative Services-Facilities Management, to develop an apprenticeship utilization
71 plan and report back on findings and recommendations of this plan to the Committee on
72 Transportation, Public Works, and Transit in the September 2012 committee meeting cycle;
73 and
74

75 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors authorizes
76 and directs the Milwaukee County Clerk to send the MCAWG report to the Superintendent
77 of the Wisconsin Department of Public Instruction (DPI), the Superintendent of Milwaukee
78 Public Schools (MPS), and the Director of the MPS Career and Technical Program
79 requesting that they work together to develop and coordinate appropriate programs and
80 opportunities that address the recommendations outlined in the report; and
81

82 BE IT FURTHER RESOLVED, upon adoption of this resolution, the Milwaukee
83 County Clerk is authorized and directed to send copies of this resolution and attached
84 report to the Governor, State of Wisconsin, the Director of the State Bureau of
85 Apprenticeship Standards and the Director of DPI.
86
87

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2-20-2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution endorsing the principles and recommendations of the Milwaukee County Apprenticeship Work Group (MCAWG).

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	
	Revenue	0	
	Net Cost	0	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

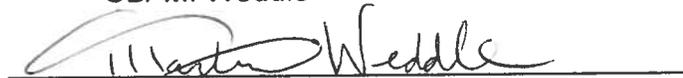
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
 - A. This resolution endorses the principles and recommendations of the Milwaukee County Apprenticeship Work Group (MCAWG).
 - B. N/A
 - C. N/A
 - D. No assumptions made.

Department/Prepared By

CB/ M. Weddle

Authorized Signature



Did DAS-Fiscal Staff Review?

Yes

No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 67) From the Manager of Real Estate Services , Department of Administrative Services, requesting authorization to amend the Professional Services Contract Agreement (“Agreement”) with the law firm of Lichtsinn & Haensel, S.C., by increasing the Agreement by \$20,000 thus increasing the \$65,000 cap stated in the Agreement to a not to exceed amount of \$85,000 for legal services required subsequent to the UWM Innovation Park, LLC land sale in the Northeast Quadrant of the County Grounds, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Section 56.30, Milwaukee County Ordinances (Section 56.30”) provides that a professional service contract to be extended or amended that provides additional reimbursement to the same vendor and extends the total reimbursement beyond fifty thousand dollars (\$50,000) to the same vendor requires County Board approval; and,

WHEREAS, in November 2007 the office of Milwaukee County Corporation Counsel entered into a Professional Services Agreement (Agreement), in the amount of \$30,000, with the law firm of Lichtsinn & Haensel, S.C. (Attorney Michael D. Orgeman); and

WHEREAS, the Agreement provided the County with legal assistance for the sale of County-owned land in the Northeast Quadrant of the County Grounds to UWM Innovation Park, LLC; and

WHEREAS, the Agreement was amended in December 2009 and March 2011, increasing the Agreement amount to a not to exceed amount of \$65,000, since the \$50,000 limit under Section 56.30 was insufficient to compensate Lichtsinn & Haensel, S.C. for the legal services to close the sale on February 15, 2011, and to provide the County post-closing legal maintenance and contract oversight and ongoing legal representation is warranted since the County holds an \$8.55 million first mortgage as part of the \$13.55 million sale; and

WHEREAS, the installation of the infrastructure in Innovation Park and the construction of the first building are advancing and a Federal Economic Development Administration grant (EDA grant) is being used to fund the construction of the building so additional legal document review/preparation is necessary to protect the County’s interests as the mortgagee; and

WHEREAS, staff proposes to amend the Agreement with Lichtsinn & Haensel. S.C., by adding funds in the amount of \$20,000 to the existing Agreement, thus increasing the \$65,000 cap stated in the Agreement to a not to exceed amount of \$85,000; and

WHEREAS, staff will also be increasing the professional service contract agreement with Attorney Roy Bradford Evans by \$3,500 to a not to exceed amount of \$19,550, since Attorney Evans continues as co-counsel for the UWM Innovation Park project in addition to providing legal services for other County Grounds initiatives and Attorney Evans is a Disadvantaged Business Enterprise (DBE), as certified by Milwaukee County’s Community Business

46 Development Partners and to date 18% DBE participation has been achieved; and

47

48 WHEREAS, the Committee on Economic and Community Development, at its meeting
49 on March 5, 2012, recommended amending the Agreement with Lichtsinn & Haensel, S.C. by
50 adding funds in the amount of \$20,000 to the Agreement, thus increasing the \$65,000 cap stated
51 in the Agreement to a not to exceed amount of \$85,000; now, therefore,

52

53 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby approves
54 amending the Agreement with Lichtsinn & Haensel, S.C. (Attorney Michael D. Orgeman), by
55 increasing the Agreement by \$20,000, thus increasing the \$65,000 cap stated in the Agreement to
56 a not to exceed amount of \$85,000.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 6, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: From the Manager of Real Estate Services requesting an amendment to the Professional Service Agreement with the law firm of Lichtsinn & Haensel, S.C. for legal services subsequent to the UWM Innovation Park, LLC land closing.

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

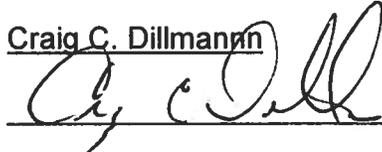
	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$23,500	0
	Revenue	0	0
	Net Cost	\$23,500	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The necessary funds to increase the Lichtsinn & Haensel, S.C. (Attorney Michael D. Orgeman) Agreement by \$20,000 and to increase the professional service agreement for Attorney Roy Bradford Evans by \$3,500 are available in the Real Estate Division's operating budget (Agency 119, Org.Unit 1191 and Object No. 6149).

Department/Prepared By Craig C. Dillmann
Authorized Signature 
Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 68) From the Director, Department of Health and Human Services, requesting authorization to allocate Year 2012 HOME Funding, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Milwaukee County Home Consortium, consisting of the Cities of Wauwatosa, West Allis, and the balance of County suburban communities as represented by the County, have entered into a cooperation agreement to apply for and receive annual funding through the federal HOME Investment Partnerships Program; and

WHEREAS, HOME funds are designated for use in affordable housing development programs; and

WHEREAS, Milwaukee County has been allocated \$907,297 in Federal Housing and Urban Development (HUD) HOME Program grant dollars; and

WHEREAS, in no case will program expenditures exceed available revenue; now, therefore,

BE IT RESOLVED, that the projected year 2012 HOME funds be allocated as indicated below:

	<u>2011</u>
Wauwatosa (Consortium share)	\$ 45,728
West Allis (Consortium share)	186,177
CHDO Production Set-aside	136,095
Home Repair, deferred loans, 0% loans, 3% loans, lead grants	398,568
Homebuyer Assistance	49,999
Program Administration	<u>90,730</u>
	\$ 907,297

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 22, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: From the Director, Department of Health and Human Services (DHHS), Requesting Approval to Allocate Year 2012 HOME Funding

FISCAL EFFECT:

- No Direct County Fiscal Impact
- Existing Staff Time Required
- Increase Operating Expenditures
(If checked, check one of two boxes below)
- Absorbed Within Agency's Budget
- Not Absorbed Within Agency's Budget
- Decrease Operating Expenditures
- Increase Operating Revenues
- Decrease Operating Revenues
- Increase Capital Expenditures
- Decrease Capital Expenditures
- Increase Capital Revenues
- Decrease Capital Revenues
- Use of contingent funds

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	(443,454)	0
	Revenue	(443,454)	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The Director of the Department of Health and Human Services (DHHS) is requesting authorization to allocate \$907,297 in HOME Program funding for 2012.

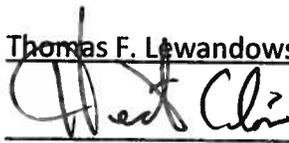
B. Milwaukee County has annually received approximately \$1.25 million in Federal Housing and Urban Development (HUD) HOME Program grant dollars. However, Congress has passed a HUD appropriation bill with a 38% cut to the HOME program. Some communities did not participate so the allocation for 2012 is \$907,297. This revenue is 100% offset by HOME Program expenditures and associated administrative costs.

C. While recognizing that future Federal allocations of grant awards are always uncertain, the Federal Department of Housing and Urban Development (HUD) will provide \$907,297 in grant revenue in 2012. In no case will program expenditures exceed available revenue. As a result, there is no tax levy impact associated with approval of this request.

D. No further assumptions are made.

Department/Prepared By Thomas F. Lewandowski, Fiscal & Management Analyst

Authorized Signature



¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 69) From the Manager of Real Estate Services recommending a disposition plan for County-owned properties obtained through foreclosure action by the County Treasurer, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, Chapter 6.03 of the Milwaukee County Ordinances authorizes the Real Estate Section of the Economic Development Division of the Department of Administrative Services, to recommend a disposition plan for County-owned property obtained through foreclosure action by the County Treasurer; and

WHEREAS, the Real Estate Section of the Economic Development Division of the Department of Administration has received property from the County Treasurer by foreclosure action; and

WHEREAS, in accordance with Chapter 6 of the County Ordinances staff has notified the appropriate County departments of the availability of the listed properties for County use prior to recommending a disposition plan; and

WHEREAS, the Director of the Department of Parks, Recreation, and Culture (Parks) requested the transfer of the following properties to their jurisdiction:

- 9880 South Pennsylvania Avenue, Oak Creek
 - 715 West Oakwood Road, Oak Creek
- ; and

WHEREAS, these two properties are long narrow strips of vacant land with little to no market value and Parks acquisition of these two parcels would help protect/conservate natural resources in the area and provide an opportunity for expanding recreational connectivity; and

WHEREAS, the Real Estate staff recommends the transfer of the above two properties to Parks and the following disposition plan of the remaining properties in accordance to Chapter 6 of the County ordinances:

- | | |
|--|-------------------|
| 120 West Mount Royal Road, Glendale | Offer for Sale |
| 6212 North Willow Glen Lane, Glendale | Offer for Sale |
| 6213-15 North Willow Glen Lane, Glendale | Offer for Sale |
| 2018 East Beverly Road, Shorewood | Offer for Sale |
| 1301 South 58 th Street, West Allis | Offer for Sale |
| 2254 South 75 th Street, West Allis | Offer for Sale |
| 4043 South Kansas Avenue, St. Francis | Offer for Sale |
| Rear of 11327 W. Ryan Rd., Franklin | Offer to Abutters |

now, therefore,

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BE IT RESOLVED, that the two properties located at 9880 South Pennsylvania Avenue, Oak Creek and 715 West Oakwood Road, Oak Creek be transferred to the Parks jurisdiction; and

BE IT FURTHER RESOLVED, that the following properties acquired by tax foreclosure proceedings by the County Treasurer and made a part of this file are declared excess to County needs and are to be offered for sale at fair market value in accordance to the disposition plan:

120 West Mount Royal Road, Glendale	Offer for Sale
6212 North Willow Glen Lane, Glendale	Offer for Sale
6213-15 North Willow Glen Lane, Glendale	Offer for Sale
2018 East Beverly Road, Shorewood	Offer for Sale
1301 South 58 th Street, West Allis	Offer for Sale
2254 South 75 th Street, West Allis	Offer for Sale
4043 South Kansas Avenue, St. Francis	Offer for Sale
Rear of 11327 W. Ryan Rd., Franklin	Offer to Abutters

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 10, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: From the Manager of Real Estate Services recommending a disposition plan for County-owned properties obtained through foreclosure action by the County Treasurer.

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact
<input checked="" type="checkbox"/> Existing Staff Time Required
<input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input checked="" type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input checked="" type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|--|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

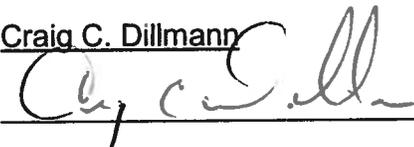
	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	Indeterminate	
	Revenue	Indeterminate	
	Net Cost	Indeterminate	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Expenditures and revenues are indeterminate at this time but expected to be within budgeted amounts. The net proceeds from the sale of excess properties will be deposited into the Capital Sales Account 1191-4905.

Department/Prepared By Craig C. Dillmann
Authorized Signature 
Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 70) From the Director, Department of Health and Human Services, requesting authorization to allocate the anticipated 2012 Community Development Block Grant (CDBG) funding, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, as part of the annual Community Development Block Grant (CDBG) process, all applicants were invited to attend a public hearing and present their proposals to the Economic and Community Development Committee on March 5, 2012; and

WHEREAS, for 2012 funds, a new review process was put in place by staff to objectively rank projects based on a scoring system to make final recommendations and a panel was arranged to score each project based on this system; and

WHEREAS, once the County Board approves the projects, the 2012 Annual Plan will be published for comment for 30-days, as required, then any public comments will be incorporated into the final 2012 Annual Plan and the Plan will then be submitted to Federal Department of Housing and Urban Development (HUD) for approval by April 30, 2012; and

WHEREAS, the 2012 Milwaukee County CDBG allocation totals \$1,267,877 with twenty-percent of these funds to be used for administration and fair housing (\$253,575) and fifteen-percent of the funds to be set aside for public service projects (\$190,181); and

WHEREAS, the allocation continues to be split between at large competitive projects and municipal projects; and

WHEREAS, although the municipal projects were not scored and ranked for the purpose of this report, they are included to show the complete allocation; and

WHEREAS, if projects are not able to provide specific documentation that they are serving the Milwaukee County CDBG jurisdiction and that they are serving low-to-moderate income individuals, Milwaukee County will not be able to provide reimbursement per HUD regulations; and

WHEREAS, an estimated \$1,267,877 will be provided in 2012 (representing a reduction of \$126,360 when compared to the 2012 Milwaukee County Adopted Budget of \$1,394,237); and

WHEREAS, in no case will program expenditures exceed available revenue; and

WHEREAS, the Committee on Economic and Community Development on March 12, 2012, received the report from the Director, Department of Health and Human Services, recommending the allocation of 2012 CDBG funds and adopted the recommendations contained in this amended resolution by a vote of 5-1; now, therefore,

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BE IT RESOLVED, the County Board of Supervisors authorize the Director, DHHS, or his designee, to allocate the anticipated 2012 Community Development Block Grant funds to the following projects:

<u>County-wide Projects</u>	<u>Public Service</u>	<u>Non Public Service</u>	<u>Total</u>
Legal Aid Society of Milwaukee	\$20,560		\$20,560
Wisconsin Community Services, Inc	\$20,560		\$20,560
Hunger Task Force, operational	\$20,560		\$20,560
United Community Center, Health Center	\$7,410		\$7,410
National Alliance on Mental Illness	\$25,000		\$25,000
Wisconsin Women's Business Initiative, microenterprise		\$17,060	\$17,060
Milwaukee County Housing, architectural barrier removal		\$40,000	\$40,000
Milwaukee County Parks, Zablocki baseball field		\$235,000	\$235,000
Rebuilding Together		\$20,000	\$20,000
Greendale Historical Society		\$20,000	\$20,000
Hunger Task Force, infrastructure		\$40,000	\$40,000
Easter Seals Southeast Wisconsin, roof		\$20,000	\$20,000
Eisenhower Center, Inc. parking lot		\$20,000	\$20,000
County-wide total	\$95,090	\$412,060	\$507,150

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<u>Suburban Set-Aside Projects</u>	<u>Public Service</u>	<u>Non Public Service</u>	<u>Total</u>
Village Shorewood, Senior Resource Center	\$8,684		\$8,684
City of Franklin, elderly home support services	\$3,489		\$3,489
City of Franklin, senior center activities	\$6,070		\$6,070
City of St. Francis, Elderly - Interfaith	\$5,286		\$5,286
City of Greendale, adult program services	\$7,326		\$7,326
Village of Bayside, senior services	\$3,776		\$3,776
City of Oak Creek, Salvation army	\$544		\$544
City of Oak Creek, Interfaith	\$3,565		\$3,565
Village of Hales Corners, elderly home support	\$1,047		\$1,047
Village of Hales Corners, seniors enrichment program	\$1,395		\$1,395
Village of Hales Corners, Library materials for seniors	\$1,047		\$1,047
City of Cudahy, program for the elderly	\$13,284		\$13,284

City of Cudahy, Project Concern	\$4,667		\$4,667
Village of Shorewood, Shoreline Interfaith	\$2,265		\$2,265
Village of Fox Point, Dunwood Center lease	\$3,964		\$3,964
Village of Brown Deer, senior center	\$19,167		\$19,167
City of Greenfield, senior citizen program	\$5,739		\$5,739
City of South Milwaukee, Human Concerns Housing	\$3,776		\$3,776
Village of River Hills, North Shore Library Accessibility		\$21,098	\$21,098
Village of Shorewood, Pavement Improvements		\$27,094	\$27,094
Village of Fox Point, exterior entry door accessibility		\$31,557	\$31,557
City of Franklin, accessible sidewalk projects		\$33,740	\$33,740
City of St. Francis, sidewalk replacement program		\$3,787	\$3,787
City of Greendale, ADA improvements		\$26,492	\$26,492
City of South Milwaukee, Human Concern, fire alarm system, sign		\$9,016	\$9,016
City of South Milwaukee, administration door project		\$10,819	\$10,819
City of Cudahy, ADA sign improvements		\$31,557	\$31,557
City of Cudahy property maintenance program		\$11,270	\$11,270
Glendale City of, ADA sidewalk and curb ramps		\$40,573	\$40,573
City of Greenfield, Coopers Hawk Park improvements		\$39,130	\$39,130
Village of West Milwaukee, community center improvements		\$32,909	\$32,909
Village of West Milwaukee, maintenance of community center		\$8,115	\$8,115
Village of Hales Corners, library ADA improvements		\$20,827	\$20,827
Village of Whitefish Bay, infrastructure improvements		\$33,324	\$33,324
City of South Milwaukee, infrastructure improvements		\$19,482	\$19,482
Village of Brown Deer, infrastructure improvements		\$11,270	\$11,270
 Suburban Total	 \$95,091	 \$412,060	 \$507,151
 Total Allocation from HUD	 \$1,267,877		
Administration cap per regulation, 20%	\$253,575		
Public service cap per regulation, 15%	\$190,182		
 Suburban Set-Aside	 \$507,151		
County-wide Set-Aside	\$507,151		

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: March 8, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: From the Director, Department of Health and Human Services (DHHS), Requesting Approval to Allocate the Anticipated 2012 Community Development Block Grant (CDBG) Funding

FISCAL EFFECT:

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| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | <input type="checkbox"/> Use of contingent funds |
| <input checked="" type="checkbox"/> Decrease Operating Expenditures | |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input checked="" type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	(126,360)	0
	Revenue	(126,360)	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The Director of the Department of Health and Human Services (DHHS) is requesting authorization to allocate \$1,267,877 in anticipated 2012 Community Development Block Grant (CDBG) funding.

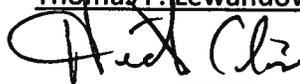
B. The total allocated funding amount represents a decrease of \$(126,360) compared to the 2012 Housing Division Budget for CDBG funds of \$1,394,237.

C. While recognizing that future Federal allocations of grant awards are always uncertain, it is anticipated that the Federal Department of Housing and Urban Development (HUD) will provide approximately \$1,267,877 in grant revenue in 2012. In no case will program expenditures exceed available revenue. As a result, there is no tax levy impact associated with approval of this request. If the final amount differs from the allocation presented here, DHHS will return to the Board with an update and any necessary fund transfers.

D. No further assumptions are made.

Department/Prepared By Thomas F. Lewandowski, Fiscal & Management Analyst

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Supervisor James Schmitt, Chairperson
From the Committee on Intergovernmental Relations, reporting on:

File No. 12-216

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3 (ITEM 70) A resolution by Supervisor Holloway, Biddle and Broderick in support of State
4 Legislation to ensure that all of the proceeds from the National Mortgage Foreclosure
5 Settlement are used for foreclosure relief purposes
6

7 **A RESOLUTION**
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9 WHEREAS, after many months of negotiation, 49 state attorneys general and the
10 federal government recently reached an agreement on a joint state-federal settlement with
11 the country's five largest mortgage loan servicers; and
12

13 WHEREAS, according to the National Mortgage Settlement website, the settlement
14 amount is for approximately \$25 billion, with approximately \$2.5 billion earmarked for
15 states, including approximately \$140 million for Wisconsin; and
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17 WHEREAS, in addition to the monetary allocations, the settlement will require
18 comprehensive reforms of mortgage loan servicing from consumer response to foreclosure
19 documentation; and
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21 WHEREAS, the agreement will also enable hundreds of thousands of distressed
22 homeowners to stay in their homes through enhanced loan modifications; and
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24 WHEREAS, the Wisconsin Attorney General and Governor recently announced that
25 the monetary benefits to Wisconsin will include:
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- 27 • Up to an estimated \$60 million in benefits from loan term modifications and
28 other direct relief.
- 29 • Approximately \$17.2 million in uniform payments of up to \$2,000 for
30 eligible Wisconsin borrowers who lost their home to foreclosure from
31 January 1, 2008, through December 31, 2011, and suffered servicing abuses.
- 32 • Approximately \$31.3 million in refinancing benefits for eligible borrowers
33 who are currently making payments but owe more than their home is worth.
- 34 • Payment to the State of approximately \$31.6 million that may be used for
35 compensation to the State, future law enforcement efforts, additional relief to
36 borrowers, civil penalties and/or funding of foreclosure relief and mitigation
37 programs.
38

39 ; and
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41 WHEREAS, the Governor and Attorney General announced that \$25.6 million of the
42 \$140 million earmarked for the State of Wisconsin would be used to fill a state budget gap
43 and therefore would not be directly used for the purpose for which it was awarded; and

44 WHEREAS, in the City of Milwaukee alone, there are 4,800 vacant and abandoned
45 properties and scores of other distressed homeowners that would directly benefit from the
46 proceeds from the settlement; and

47

48 WHEREAS, several State legislators, including Representatives Grigsby and Mason,
49 have sponsored the Foreclosure Aid, Integrity and Relief (FAIR) Act that would allocate the
50 \$25.6 million initially earmarked for budget relief by the Governor and State Attorney
51 General to programs that would directly benefit people who have been adversely impacted
52 by the national mortgage foreclosure crisis; and

53

54 WHEREAS, Milwaukee County taxpayers benefit with fewer home foreclosures,
55 which results in fewer adults and children facing homelessness and needing other public
56 assistance; now, therefore,

57

58 BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby
59 support the Foreclosure Aid, Integrity and Relief (FAIR) Act and any similar legislation that
60 would ensure that all of the National Mortgage Settlement proceeds are reviewed by the
61 Legislature and allocated to programs and services that directly benefit the people that have
62 been adversely impacted by the national mortgage foreclosure crisis; and

63

64 BE IT FURTHER RESOLVED, that the Director of Intergovernmental Relations is
65 authorized and directed to communicate Milwaukee County's position to State policymakers,
66 including the State Attorney General, U.S. Attorney General, and others that may be helpful
67 in supporting this legislation.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 20, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution in support of State Legislation to ensure that all of the proceeds from the National Mortgage Foreclosure Settlement are used for foreclosure relief purposes

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

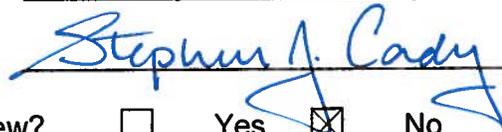
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this resolution will not require an expenditure of funds, but will require an expenditure of staff time to communicate its contents to the designated parties.

Department/Prepared By Steve Cady, Fiscal and Budget Analyst, County Board

Authorized Signature



Did DAS-Fiscal Staff Review?

Yes

No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM 71) A resolution by Supervisor Holloway and Broderick expressing opposition to the federal transit program financing mechanism contained in H.R. 3864, the American Energy and Infrastructure Jobs Financing Act of 2012, by recommending adoption of the following:

A RESOLUTION

WHEREAS, on February 1, 2012, H.R. 3864, the American Energy and Infrastructure Jobs Financing Act of 2012 was introduced to the United States House of Representatives; and

WHEREAS, this bill would amend the Internal Revenue Code of 1986 to extend authorities relating to the Highway Trust Fund; and

WHEREAS, this legislation would prevent the transfer of motor fuel taxes to the Highway Trust Fund Mass Transit account, essentially eliminating transit’s dedicated funding source; and

WHEREAS, this legislation heavily relies upon assumptions and undetermined appropriation sources as opposed to traditional transit funding mechanisms; and

WHEREAS, under this legislation, Congress would allocate a one-time appropriation from an unidentified source of \$40 billion into a new “Alternative Transportation Account” to be used to fund transit programs; and

WHEREAS, the revenue stream for future mass transit projects would originate from leasing fees, assuming approval of U.S. oil and gas leases in parts of the country currently not open to drilling and mining; and

WHEREAS, in the event this unspecified funding is compromised by disapproval of future leases, transit users transportation needs could be compromised as well; and

WHEREAS, many conservative and liberal groups oppose the funding mechanisms of this legislation citing the likelihood of transit funding competing with other programs, ultimately reducing funding for mass transit; and

WHEREAS, according to the Executive Director of the Wisconsin Transportation Builders Association, Wisconsin could potentially lose \$60 million to \$97 million of funding annually for highway maintenance purposes, and transit funding would be reduced significantly too; and

43 WHEREAS, during an economic period when transit users are facing regular fare
44 increases and transit systems are addressing rising fuel costs, a less radical funding
45 mechanism with the potential to cripple already stressed transit riders and systems should
46 be crafted to ensure transit infrastructure stability, rather than uncertainty; now, therefore,
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48 BE IT RESOLVED, the Milwaukee County Board of Supervisors expresses its
49 opposition to the federal transit program financing mechanism contained in H.R. 3864, the
50 American Energy and Infrastructure Jobs Financing Act of 2012; and

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52 BE IT FURTHER RESOLVED, upon adoption of this resolution, the Milwaukee
53 County Clerk is authorized and directed to send copies of this resolution to members of the
54 United States House of Representatives and United States Congress.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 2-14-12

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Expressing opposition to the federal transit program financing mechanism contained in H.R. 3864, the American Energy and Infrastructure Jobs Financing Act of 2012.

FISCAL EFFECT:

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| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	
	Revenue	0	
	Net Cost	0	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

- A. This resolution expresses the Milwaukee County Board of Supervisors opposition to the federal transit program financing mechanism contained in H.R. 3864, the American Energy and Infrastructure Jobs Financing Act of 2012.
- B. N/A
- C. N/A
- D. No assumptions were made.

Department/Prepared By CB/Weddle

Authorized Signature Martin Weddle

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

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(ITEM72) A resolution by Supervisors Broderick, Holloway, Dimitrijevic and Biddle stating opposition to Senate Bill 275 relating to membership of the Milwaukee Area Technical College (MATC) District Board, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Senate Bill 275, and similar legislation contained in Assembly Bill 353, initially proposed changes in the membership of all Wisconsin Technical College System district boards from:

- 2 employers;
- 2 employees;
- 3 additional members;
- 1 school district administrator; and
- 1 elected official

To:

- 6 business persons;
- 1 additional member;
- 1 school district administrator; and
- 1 elected official

; and

WHEREAS, additional amendments approved to the bill limit the changes to the Milwaukee Area Technical College (MATC) district board, direct the Milwaukee County Executive to act as chairperson for the MATC District Board Appointment Committee, and establish the district board membership as:

- 5 persons representing employers: 3 representing employers with 15 or more employees; 2 representing employers with 100 or more employees; and at least 2 representing employers who are manufacturing businesses;
- 1 elected official
- 1 school district administrator; and
- 2 additional members

; and

WHEREAS, the District Board Appointment Committee would be comprised of four individuals, including the Milwaukee County Executive as chairperson, and the chairpersons of the Milwaukee, Ozaukee and Washington County Boards of Supervisors; and

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WHEREAS, 7 of the 9 members of the MATC District Board would be required under SB 275 to reside in Milwaukee County; and

WHEREAS, 84% of the total tax levy funding for MATC is paid by Milwaukee County residents, and 57% of the students are from the City of Milwaukee, which has no direct representation on the District Board Appointment Committee; and

WHEREAS, the State Legislature last year slashed State support for MATC by 30%, which is the main issue affecting MATC, not the composition of the MATC District Board; and

WHEREAS, Senate Bill 275, as amended, would give more control to outlying counties although their residents comprise a much smaller fraction of the MATC student population; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors opposes Senate Bill 275, and any related legislation, that would change the governance structure of the Milwaukee Area Technical College to give outlying counties a disproportionate share of the District Board or the District Board Appointment Committee; and

BE IT FURTHER RESOLVED, that Milwaukee County supports applying any reforms for technical college governance to all technical college systems in Wisconsin; and

BE IT FURTHER RESOLVED, that the Director of Intergovernmental Relations is authorized and directed to communicate the contents of this resolution to the appropriate State policymakers and any other related officials.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: March 8, 2012

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution stating opposition to Senate Bill 275 relating to membership of the Milwaukee Area Technical College (MATC) District Board

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input checked="" type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|--|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

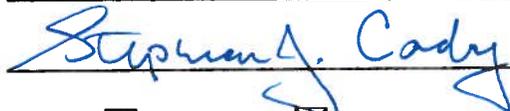
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this resolution will not require an expenditure of funds, but will require staff time to communicate its contents to the identified individuals.

Department/Prepared By Steve Cady, Fiscal and Budget Analyst, County Board

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.