



OFFICE OF THE COUNTY CLERK

JOSEPH J. CZARNEZKI • COUNTY CLERK

MEMO

DATE: June 19, 2013
TO: The Honorable County Board of Supervisors
FROM: Joseph J. Czarnezki, County Clerk
SUBJECT: File Returned Unsigned

The County Executive has returned to my office, without his signature of approval, the following file:

File No. 13-411 – A resolution by Supervisor Weishan, authorizing and directing Corporation Counsel to retain outside legal counsel to review the provisions of State Reform Legislation (AB85 and SB95) to assess the authority of its provisions and to provide guidance on the implementation of all State imposed governance changes in Milwaukee County.

This resolution was adopted by a vote of 14 ayes – 4 noes at your meeting of May 23, 2013 and remains in full force and effect.

Joseph J. Czarnezki, County Clerk



OFFICE OF THE COUNTY EXECUTIVE
Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

DATE: June 18, 2013

TO: The Honorable Milwaukee County Board of Supervisors

FROM: County Executive Chris Abele

RE: County Board File 13-411: a resolution directing Corporation Counsel to seek outside counsel on the implementation of Wisconsin Act 14.

While I disagree with this action, out of respect for the County Board's preference on this matter, I am not vetoing this resolution. Nonetheless, I feel it's important to let the Board and the public know that I believe this action unnecessarily wastes tax dollars and sets a bad precedent. Specifically, setting the precedent that elected leaders can ask taxpayers to foot an outside counsel bill every time they disagree with Corporation Counsel is both costly to our community and troubling in its implications.

When Corporation Counsel Kimberly Walker was asked directly by Supervisor Staskunas during a committee hearing if her office could provide an unbiased opinion on Act 14, she said yes. Specifically she told him and the committee they can and do provide "unbiased opinions in this particular matter and all matters."

That answer was good enough for Supervisor Staskunas, who is a practicing attorney, and it should be good enough for the rest of the Board.

Corporation Counsel represents the legal interests of the County. It is their responsibility to interpret all laws that affect the County, regardless how politicians may feel about a particular issue. Consistent with §59.42(b), the County should continue using Corporation Counsel for legal opinions and only use outside counsel when Corporation Counsel informs us that they have a conflict of interest or are unable to provide an opinion.



Milwaukee County

County Courthouse
901 N. 9th Street, Rm.
105
Milwaukee, WI 53233

Signature Copy

Resolution: 13-411

File Number: 13-411

A resolution authorizing and directing Corporation Counsel to retain outside legal counsel to review the provisions of State Reform Legislation (AB85 and SB95) to assess the authority of its provisions and to provide guidance on the implementation of all State imposed governance changes in Milwaukee County. (04/25/13: Referred to the Committee on Judiciary, Safety and General Services)

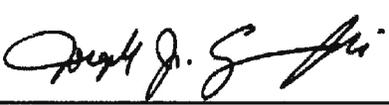
RECORD OF COUNTY BOARD AND COUNTY EXECUTIVE ACTIONS

The attached resolution or ordinance was ADOPTED AS AMENDED by the Milwaukee County Board of Supervisors on May 23, 2013 by the following vote:

Ayes: 14 Bowen, Broderick, Cullen, Dimitrijevic, Haas, Johnson Jr., Jursik, Lipscomb Sr., Mayo Sr., Rainey, Romo West, Schmitt, Stamper II, and Weishan

Noes: 4 Alexander, Borkowski, Staskunas, and Taylor

Certification of County Board Passage by County Board Chairwoman  Date MAY 23 2013
 Marina Dimitrijevic

Certification of County Board Passage by County Clerk  Date MAY 23 2013
 Joseph J. Czarnezki

County Executive approval/veto of attached resolution/ordinance. _____ Date _____
 Chris Abele

Received by County Clerk  Date 6/19/2013
 Joseph J. Czarnezki

add Stamper
Co-Sponsor

1 Supervisor Mark Borkowski, Chairperson,
2 From the Committee on Judiciary, Safety and General Services, reporting on:

3
4 **MAY 23 2013**

File No. 13-411

5
6 (ITEM) A resolution by Supervisor Weishan, authorizing and directing Corporation
7 Counsel to retain outside legal counsel to review the provisions of State Reform Legislation
8 (AB85 and SB95) to assess the authority of its provisions and to provide guidance on the
9 implementation of all State imposed governance changes in Milwaukee County, by
10 recommending adoption of the following:

ipscomb
LOL
ipscomb
n Adopt
Amendment
#1
15-3
Adopted as
Amended
14-4

11 **A RESOLUTION**

12
13
14 WHEREAS, Assembly Bill 85 and its companion, Senate Bill 95, propose sweeping
15 changes to the current governance model of Milwaukee County; and

16
17 WHEREAS, if enacted, the legislation would require significant changes to the
18 current Milwaukee County governance model, including needed changes to the Code of
19 General Ordinances; and

20
21 WHEREAS, a review of all of the provisions of the State legislation will help
22 determine if any of the changes unjustly target just one county in violation of other State
23 laws and assess the impact on minority populations in the most diverse county in the State;
24 and

25
26 WHEREAS, the retention of outside legal counsel would relieve the Corporation
27 Counsel from opining on these controversial matters involving the future governance
28 model for Milwaukee County as dictated by the provisions of State Reform Legislation;
29 now, therefore,

30
31 BE IT RESOLVED, the Corporation Counsel is authorized and directed to retain
32 outside legal counsel to examine the provisions of Assembly Bill 85 and Senate Bill 95 to
33 determine if the legislation's provisions, which would only affect Milwaukee County, are in
34 conformance with all other laws and provisions, especially as they impact minority
35 populations; and

36
37 BE IT FURTHER RESOLVED, that outside counsel shall provide legal guidance to
38 Milwaukee County policymakers in enacting any reforms approved as part of the
39 aforementioned State legislation.

40
41
42 jmj
43 05/04/13
44 H:\Shared\COMCLERK\Committees\2013\May\JSGS\Resolutions\13-411.docx

APPROVED AS TO FORM
Kimberly 5/23/2013
CORPORATION COUNSEL

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: April 23, 2013

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution authorizing and directing Corporation Counsel to retain outside legal counsel to review the provisions of State reform legislation (AB 85 and SB 95) to assess the authority of its provisions and to provide guidance on the implementation of all State imposed governance changes in Milwaukee County

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 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	\$25,000	0
	Revenue	0	0
	Net Cost	\$25,000	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 authorize and direct the Corporation Counsel to retain outside legal services for the purposes of reviewing State legislation to reform Milwaukee County governance (AB 85 & SB 95) to determine if the legislation's provisions are in conformance with all other laws and provisions, especially as they impact minority populations, and to provide legal guidance in enacting any reforms mandated by the State legislation.

It is unclear as to the complexity of the legal services that may be required since, at the time this fiscal note was prepared, State legislation to reform the Milwaukee County governance model had not yet been approved. Based on past experience with the retention of outside counsel, this fiscal note assumes that an expenditure of approximately \$25,000 may be necessary to carry out the directive. Actual expenditures may be more or less depending on the scope and specific legal engagement. Funds for this initiative are not contained in the Adopted Budget of Org. Unit 1130 – Corporation Counsel. An appropriation transfer from Org. Unit 1961 – Litigation Reserve would most likely be required. The 2013 Adopted Budget includes an appropriation of \$350,000 for the Litigation Reserve.

The 2013 Adopted Budget also contains provisions outlining the retention of outside counsel by the Corporation Counsel. These provisions were addressed by the Corporation Counsel in a report as part of File No. 13-189, adopted March 21, 2013.

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.
CBPacket 062013 Page 6

Department/Prepared By Stephen Cady, Fiscal and Budget Analyst, County Board

Authorized Signature *Stephen J. Cady*

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

MILWAUKEE COUNTY BOARD OF SUPERVISORS

MAY 23 2013

DATE: May 23, 2013

AMENDMENT NO. 1 to Item #45

Resolution File No. 13-411

Ordinance File No.

COMMITTEE: Judiciary, Safety and General Services

OFFERED BY SUPERVISOR(S): Lipscomb and Stamper

ADD AND/OR DELETE AS FOLLOWS:

Amend the BIR clause as follows:

BE IT RESOLVED, the Corporation Counsel is authorized and directed to recommend legal firms to the County Board Chairperson and retain outside legal counsel, as chosen by the Chairperson, to examine the provisions of Assembly Bill 85 and Senate Bill 95 to determine if the legislation's provisions, which would only affect Milwaukee County, are in conformance with all other laws and provisions, especially as they impact minority populations; and

FOR SUSPENSION OF THE RULES

1 By Supervisor Weishan

2
3 **A RESOLUTION**

4 authorizing and directing Corporation Counsel to retain outside legal counsel to review the
5 provisions of State reform legislation (AB 85 and SB 95) to assess the authority of its
6 provisions and to provide guidance on the implementation of all State imposed governance
7 changes in Milwaukee County

8 WHEREAS, Assembly Bill 85 and its companion, Senate Bill 95, propose sweeping
9 changes to the current governance model of Milwaukee County; and
10

11
12 WHEREAS, if enacted, the legislation would require significant changes to the
13 current Milwaukee County governance model, including needed changes to the Code of
14 General Ordinances; and

15 WHEREAS, a review of all of the provisions of the State legislation will help
16 determine if any of the changes unjustly target just one county in violation of other State
17 laws and assess the impact on minority populations in the most diverse county in the State;
18 and
19

20
21 WHEREAS, the retention of outside legal counsel would relieve the Corporation
22 Counsel from opining on these controversial matters involving the future governance
23 model for Milwaukee County as dictated by the provisions of State reform legislation; now,
24 therefore,
25

26 **REFERRED TO**
27 BE IT RESOLVED, the Corporation Counsel is authorized and directed to retain
28 outside legal counsel to examine the provisions of Assembly Bill 85 and Senate Bill 95 to
29 determine if the legislation's provisions, which would only affect Milwaukee County, are in
30 conformance with all other laws and provisions, especially as they impact minority
31 populations; and

32 BE IT FURTHER RESOLVED, that outside counsel shall provide legal guidance to
33 Milwaukee County policymakers in enacting any reforms approved as part of the
34 aforementioned State legislation.

APR 25 2013

Weishan
sked SR
D cond
126

Decision made
Adoption

Final move
Referral to
Judiciary

Passed
12-6

REFERRED TO
Judiciary

1 Supervisor David Cullen, Chairperson,
2 By the Committee on Finance, Personnel and Audit, reporting on:

3

4

File No. 13-524

5

6 (ITEM 2) A resolution to **RECEIVE AND PLACE ON FILE** (vote 7-0) an informational
7 report from the Director of Benefits, Department of Human Resources, dated June 3, 2013,
8 addressing the feasibility of implementing Onsite Health Clinics for Milwaukee County
9 Employees.

10

11

12 jmj

13 06/13/13

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13-524

Department of Human Resources
Division of Employee Benefits

INTER-OFFICE COMMUNICATION

Date: 6/3/2013
To: Milwaukee County Board of Supervisors, Finance, Audit & Personnel Committee
FROM: Matthew Hanchek, Director of Benefits – Department of Human Resources *M. Hanchek*
SUBJECT: **Informational report from the Director of Benefits, Department of Human Resources, on behalf of the Employee Benefits Work Group regarding Onsite Clinics (no action required).**

Issue/Background

The 2013 Adopted Budget directs the Employee Benefits Work Group to study the feasibility of implementing an onsite health clinic for employees as a means of slowing the rate of cost increases under the County's medical plan. The budget further directs the work group to develop a plan to implement if deemed appropriate. This is a report of the work group's preliminary findings.

Purpose/Benefit of On-site Clinics:

Direct Short-term Reduction in Health Care Cost: An onsite clinic can provide services at a lower cost than other network providers if an adequate volume of claims can be channeled through the facility to achieve economies of scale. This is described in greater detail in the financial analysis on page 8.

Improved Medical Management/Preventive Medicine: In theory, by making primary care more accessible, compliance with annual physicals and routine preventive care will improve. Over time this can improve the overall health of the covered population and contribute to a gradual slowing of the rate of health care inflation.

Long-term Behavior Change: An onsite clinic can reduce waste through an enhanced doctor-patient relationship. Generally the physician is less rushed in an onsite clinic and can spend additional time discussing patient concerns. This can contribute to more judicious use of specialists and the emergency room.

The additional time dedicated to the individual doctor-patient relationship can refocus each office visit on the whole-person rather than the presenting condition. When this occurs, the patient can become better equipped to understand and manage their health risks, ultimately leading to improved population health.

*Courthouse Room 210 901 North 9th Street, Milwaukee, WI 53233
Phone: (414) 278-4148 Fax: (414) 223-1379
www.county.milwaukee.gov/HumanResources*

Criteria for Success / Best Practices:

Focus on Population Health: Many onsite healthcare initiatives focus on replacing high volume community-based primary and preventive care with care provided by lower cost providers within the clinic. While this focus will produce some modest savings, the most successful initiatives focus on reducing individual health risks.

Success Depends on High Utilization: In order to be truly effective, an onsite clinic needs to be utilized by nearly all employees and covered dependents. The most successful onsite clinics direct care for virtually all covered persons – even those with severe and chronic conditions. Care that is received outside the clinic is managed by the clinic.

Incentives and Location: Clinic utilization can occur regardless of location if the financial incentive is sufficient (for example, excluding coverage for certain procedures outside the clinic), but this would not be a common approach.

Employers typically encourage use of the onsite clinic by creating a meaningful financial incentive for employees, when compared to the out of pocket cost from external providers. This can include waiving or reducing office copays at the onsite clinic, increasing out-of-pocket costs at all other providers, or a combination of both.

It is common for vendors to prefer that at least 1000 employees be at the location, but it is not an absolute requirement. Some onsite healthcare providers have scaled their care models down to roughly 200 employees per location, but access and the scope of care is generally very limited for these smaller facilities. The proximity of dependents can also be factored in.

In general terms, higher concentrations of employees working and living in close proximity to the clinic will yield higher utilization by employees. Similarly, placing the clinic closer to where employees live improves the likelihood of getting employees' covered dependents to use the clinic in lieu of their personal physicians. The availability of other providers, ease of access, availability of parking, etc. all will factor into the extent to which employees and families will utilize the onsite facility.

In essence, utilization is contingent on being more convenient and affordable than the health care provider alternatives available to the patient.

Facility Space: Onsite clinics with an extremely limited scope of service and hours of operation can work with a minimum of few hundred square feet of space. Large operations with a wide range of services can require several thousand square feet. Typically a primary care clinic with basic lab services will require around 1800 – 2000 square feet of space.

Eligibility/Access: Generally an onsite clinic is made available to all covered employees and their dependents at a work location. Employees who are not enrolled in the employer's medical plan can be excluded from using the clinic to avoid issues with billing and coordinating with a third party's insurance plan. Similarly, employers normally exclude Medicare-eligible retirees

from using the clinic based on the low Medicare reimbursement rates for services, and the additional staff required to conduct Medicare billing.

Scope of Clinical Services: The Scope of Clinical Services depends on whether the focus is on reducing unit costs of high volume procedures, or reducing population health risks.

Onsite healthcare clinics that utilize modest incentives and focus on reducing unit costs typically focus on general practice/family medicine services, and common lab tests. This helps to keep staff sizes, equipment costs, and facility sizes within reason.

Integration with other Health Initiatives: Since onsite healthcare, to a large extent, can be viewed as an extension of wellness initiatives that are already underway. It is common for employers to seek synergy by driving wellness related services (e.g. biometric screenings) into the onsite facility. These options will need to be reviewed in greater detail before any decision to move forward.

Some organizations may consolidate occupational health services under an onsite clinic to increase the volume of services directed to the facility and to achieve the necessary economies of scale to make the facility viable. In these cases, the philosophical and legal differences between occupational and non-occupational medicine need to be carefully considered and managed.

Segregation from the Employer: Employees generally will not trust, and ultimately will not use a facility if they perceive it to be the “company doctor” or an extension of the employer. It is critical to emphasize the separation between the clinic manager and the employer.

Case Studies:

Lands’ End

Lands’ End has about 2700 employees, primarily located in Dodgeville, WI and to a much lesser extent, Reedsburg, WI. Their clinic is located on their main campus in Dodgeville, and a satellite office in Reedsburg. Nearly all employees live near the primary campus.

This clinic has been in place for nearly 10 years, and has been extremely successful, with approximately 50% of their employees/families using the clinic. This is largely attributable to geography. Most employees work and live in close proximity to the main campus making it very convenient the most convenient option. Further, being located in a rural area significantly decreases the number of available convenient alternatives. Lands’ End enhances the geographic advantage by waiving office visit fees entirely for preventive care, and offering reduced copays for non-preventive services. In essence, their clinic is more convenient and less expensive for employees and their dependents than the available alternatives in the area.

The Lands’ End clinic has an annual operating cost of approximately \$450,000. While definitive savings data is not available, they believe this clinic has been critical to slowing the rise of health care costs, and provides critical access to convenient quality care that they had been lacking.

Lands’ End also provides employees with access to a comprehensive fitness and aquatics center that is loosely tied to its onsite healthcare initiative.

Caterpillar (formerly Bucyrus)

Bucyrus launched an onsite clinic prior to being purchased by Caterpillar. Although Caterpillar has a number of onsite clinics within their organization, they typically avoid placing clinics in urban locations with a multitude of existing health care provider options.

Bucyrus's ability to provide financial incentive for employees to utilize the clinic was limited by the copays prescribed by their labor agreements. This lack of steerage compounded the problem of having an abundance of competing healthcare provider options. Although they had a large concentration of employees/families in close proximity to the facility, the clinic went largely unused. Bucyrus was allowed to continue operating the clinic for a year following the acquisition, but ultimately shut it down.

Miller Brewing

Miller Brewing launched a Quad Med clinic in 2005 with modest success. The clinic had an initial build cost over \$1,000,000 to adapt a smaller vacant building into a clinic/fitness center. It has an annual operating cost of approximately \$1,000,000, primarily driven by a staff consisting of 1 full-time physician, a physician's assistant, an RN, a shared clinic manager, a phlebotomist, an x-ray tech, and a fitness coordinator. Miller charges a significantly reduced copay to encourage employees and family members to use the clinic. Currently, the clinic is receiving sufficient volume to operate at the breakeven point.

Miller has been successful in engaging their non-represented employees at the main campus, but has had less success in achieving buy-in from union employees. Further, Miller has had challenges encouraging utilization from family members who may not live in close proximity to their campus.

After the first few years of operations, Miller recognized that the scope of the clinic may have been overly ambitious, specifically regarding the range of lab and x-ray services that the clinic is capable of providing in-house. There was not enough volume of these services to justify the equipment cost and maintenance expense. They have sold or placed into storage some of the lesser used equipment to reduce the overall operating budget and improve efficiency.

Miller has a reciprocity agreement where if a Miller employee uses another employers' Quad Med administered clinic, Miller is charged a fee that is greater than the cost of their own clinic, but less than the amount charged at a network provider under their health plan.

Waukesha County

Waukesha County has evaluated the feasibility of implementing an onsite clinic independently, or in collaboration with Waukesha Public Schools and the City of Waukesha. They have contracted with a consultant to evaluate options, and received the initial findings in early May. The initial findings are favorable, and it is likely that Waukesha County will proceed with a clinic in collaboration with the City of Waukesha and Waukesha Public Schools. The Employee Benefits Work Group will continue to monitor Waukesha County's progress as they proceed.

Among the key reasons for Waukesha County's favorable finding is that employees are almost entirely concentrated in one campus, which also coincides with the Waukesha Public School and City administration sites. Waukesha County also has a significantly smaller population of covered retirees (approximately 300 in total), with no obligation to provide the same plan design or access to retirees as they provide to active employees. As such, the clinic will likely exclude all Medicare-eligible retirees.

Waukesha County's preliminary scope of services will include primary care, wellness and biometric screenings, pre-employment screening, employee drug testing, and occupational health services. They anticipate an initial staff/operating cost of approximately \$150,000 - \$200,000 based on 54 hours per week of operation by a Nurse Practitioner. If utilization warrants, they can expand operating hours, and include patient access to the supervising physician. The total year 1 costs are estimated at 1.3 million.

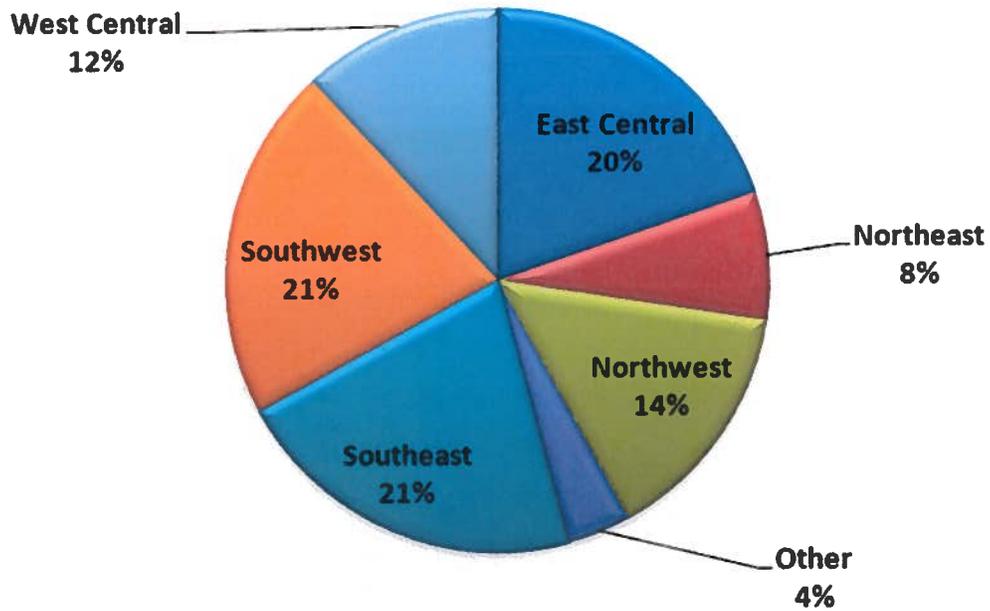
Waukesha County will likely use a reduced copay to incentivize utilization.

Milwaukee County Location Analysis

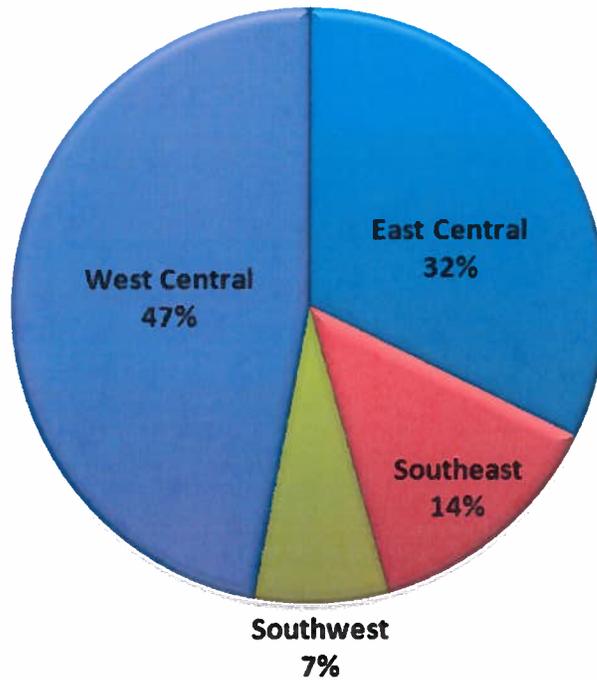
The Benefits Division reviewed where employees live and work and where primary care providers are located by dividing the County into 6 regions. While not shown in the charts below, the distribution of retirees who live within Milwaukee County is similar to the distribution of active employees among the 6 regions.

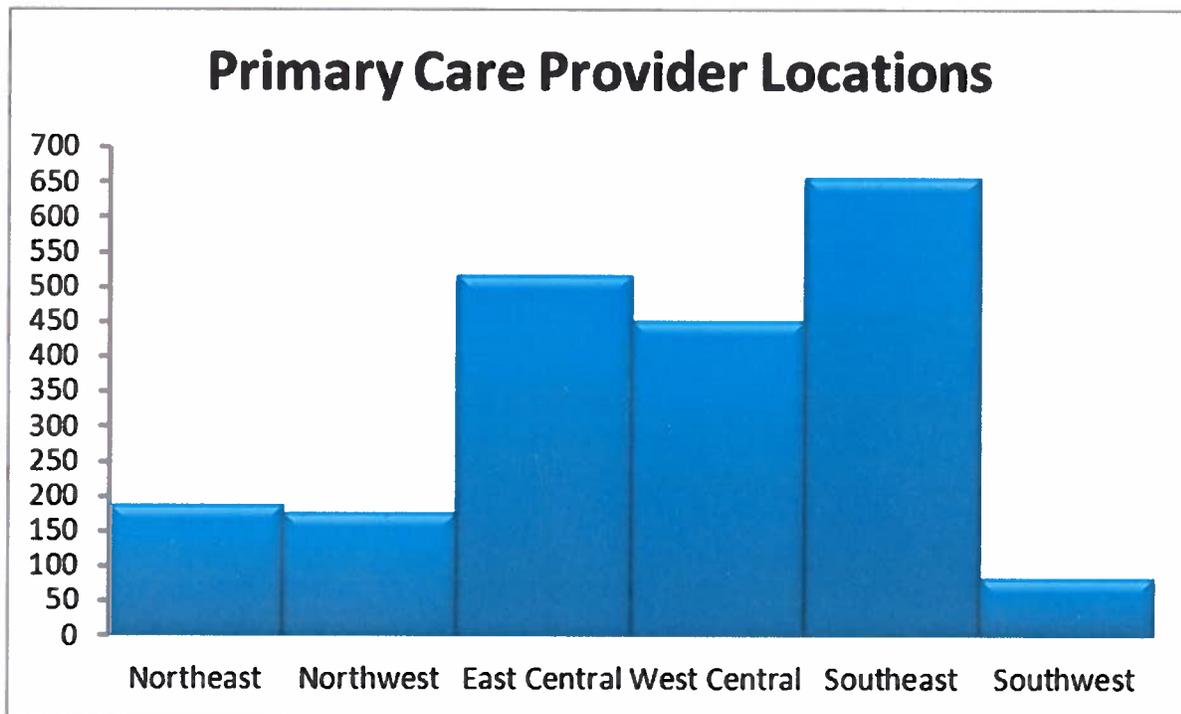
Work locations were assigned based on the primary location of the org. unit number for the Departments/Divisions. Separating org units into smaller worksite groupings would likely redistribute a portion of the West Central group to the East Central, South East, and South West regions. There is not a significant volume of worksites in the North.

Where Employees Live



Where Employees Work





The regions are defined as follows:

Region	Definition
North East	Bordered by Lake Michigan in the East, 43 rd St in the West, the County line in the North, and Capitol Dr in the South.
North West	Bordered by 43 rd in the East, the County line in the North and West, and Capitol Dr. in the South.
East Central	Bordered by Lake Michigan in the East, 43 rd St in the West, Capitol Dr in the North, and Becher St. in the South. Includes the Courthouse complex, Coggs Center, and City Campus
West Central	Bordered by 43 rd St in the East, the County line in the West, Capitol Dr in the North, and Becher St. in the South. Includes BHD, Zoo, Parks Administration
South East	Bordered by Lake Michigan in the East, 43 rd St in the West, Becher St. in the North, and the County line in the South. Includes General Mitchell International Airport
South West	Bordered by 43 rd in the East, the County line in the West, Becher St. in the North, and the County line in the South. Includes the House of Correction (CCF-South)

Ideally, the choice for the location of a clinic would be aligned with a large concentration of employees, have convenient to access for the majority of covered dependents, and be in an area that does not already have a large number of providers. Unfortunately, there is not a Milwaukee County worksite that appears to meet all of these criteria. Based on employee location, the two most prominent options would be the BHD and Courthouse Complex (discussed below).

The County worksites with the highest volume of employees coincide with the regions that already have the highest number of network primary care physicians. Competition from existing area providers will add to the challenge of reaching sufficient volume to make the clinic viable.

Behavioral Health Division: The largest groups of employees work in the West Central region, which could suggest unused/underutilized space at BHD as a potential location. However, only 12% of County employees live within the West Central region. The location would be at a geographic disadvantage for drawing dependent utilization. In addition, uncertainty exists concerning the County's long-term use of the BHD facility.

Courthouse Complex: This location would be aligned with the work location of a large concentration of employees, but would not align to where a large number of employees and their dependents live. In addition, space in the courthouse complex is limited and access to the clinic would be inconvenient for non-courthouse employees and all dependents due to security requirements and parking restrictions.

Additional Locations: As Milwaukee County has facilities located throughout the County, the Employee Benefits Work Group could consider options for placing a clinic facility in a location that aligns with employees' home locations and/or a reduced number of providers already serving a particular area. While this may alleviate concerns with dependent convenience and access, it may shift the challenge to obtaining employee engagement.

Financial Analysis

Approach: The analysis below is based on Milwaukee County primary care claims data. All assumptions for clinic costs and utilization are primarily based on a review of local examples of onsite clinics, available publications, and recent RFP's at other employers. The County's Health Care consultant, Willis of Wisconsin, has reviewed the assumptions for reasonableness, but it is important to note the Employee Benefits Work Group has not engaged Willis for a formal actuarial review at this time. The intent of this analysis is to provide policy makers with a rough assessment of potential costs and fiscal performance prior to committing additional resources to a more thorough and detailed financial analysis.

Scope of Practice: We have focused our financial analysis on a scope of practice that would achieve cost reduction by replacing high volume community-based primary and preventive services with lower cost care provided within the clinic.

Start-up Costs: Supplies, equipment, and training for launching a new facility can be as much as \$250,000, contingent on the scope of services the clinic is intended to cover. This is in addition to any remodeling costs for the facility space. At a rough per square foot rate of \$220,

the remodeling would cost nearly \$500,000. A reasonable estimate for total start-up costs for a Milwaukee County Clinic would be \$750,000.

A more thorough analysis is needed prior to proceeding with any implementation plan. This analysis should be based on the specific location chosen and the scope of services the clinic would provide. Further, County architects and facilities staff should be engaged to help assess materials, HVAC requirements, electrical, plumbing, etc., all of which could significantly increase these estimates.

The cost of the initial build could be spread over a period of 15 years.

Basis for Operating Costs: The minimum annual operating costs will be around \$450,000 - \$500,000 roughly based on a staff consisting of a half-time supervising physician, a 30-hour nurse practitioner, a 40-hour CMA/LPN, a full-time phlebotomist, and a full-time patient coordinator (receptionist).

Operating costs will increase as clinic utilization increases. A study completed by Milliman indicated the Bucyrus clinic's claim cost was approximately 80% of the cost of claims under the UHC network in the Milwaukee market after discounts. Using this as a benchmark has the advantage of being in the Milwaukee market and using the same carrier/discount rates that Milwaukee County currently operates with.

This minimum does not consider the likelihood of a management fee for the third-party vendor, nor does it contemplate any fees related to the clinician's liability/malpractice insurance.

Claims Pool: The claims that can potentially be impacted by a clinic with a reasonable scope of services total approximately \$4 million. This is derived from taking all claims incurred by active employees in 2012 with an office visit copay procedure code attached. This data was then filtered by the market the claim was incurred in and the provider type to exclude claims incurred outside of the Milwaukee market, and all specialists except pediatricians. A 7.5% trend rate was applied to 2013 and beyond to adjust for healthcare inflation.

Discount on Copay: To achieve any significant utilization of the clinic, there will have to be a meaningful financial incentive for employees to change primary care providers. For the purpose of this analysis, a \$20 discount (i.e. \$10 copay) was assumed for using the clinic.

Capture Rate: Milwaukee County will not be able to shift 100% of office visit claims into the clinic. At Land's End, which has every factor in their favor (location, convenience, reduced copay, etc.), utilization is still roughly 50% of eligible claims. By contrast, the claims capture at Bucyrus was minimal.

The capture rate is the most subjective aspect of the analysis. Further, the discount on out-of-pocket costs, location, scope of services, etc. will all have an effect on the volume of claims that are shifted to the clinic.

Break-even Point: With the assumptions above, the clinic would need to absorb 15% of all claims to break even in the first year. At 10% the clinic would increase costs by approximately

\$170,000 in year one. By contrast, an extremely successful clinic capturing 50% of claims under the assumptions described above would save approximately \$180,000, which is less than 0.5% of the active employee medical costs (excluding prescription medications).

Other ROI Considerations: Proponents of onsite clinics will commonly cite gradual improvement in the health and productivity of the covered population as a component of the return on investment for an onsite clinic, in a similar manner as employer wellness plans. By making it more convenient for employees to conduct annual physicals and obtain primary care services, in theory employees will be more compliant with routine health care, which can lead to earlier and more cost effective discovery and resolution of health risks. Further, the improved doctor-patient relationship under an onsite clinic could lead to a decrease in unnecessary services and waste within the health care system.

Similar to wellness plans, it is incredibly difficult to assess and validate savings from behavior change and services avoided, especially when the actual behavior changes are likely to be modest and delayed. Over time, a claims analysis may show correlation between a shift in claims experience or a decrease in the rate of inflation and the presence of an onsite clinic, but it will not demonstrate cause. Consequently, these “soft savings” should not be budgeted for.

Milwaukee County Specific Issues

Milwaukee County’s rules governing retiree medical coverage create a unique challenge for launching a successful onsite clinic. The County is required to provide retirees with access to the same health care plan as active employees. Modifying the plan design to allow lower copays for services at a County Clinic would likely require the County to extend access to the facility to covered retirees, including Medicare-eligible retirees. Doing so will require the County to pursue reimbursement from Medicare for those clinic services.

Pursuing Medicare reimbursement will require additional staff and administrative costs. As previously cited, Medicare reimbursement rates are significantly lower than any other payer. As such, treating Medicare-eligible patients at an onsite facility will likely erode any direct savings from treating the active employees.

Findings

Onsite clinics can be an effective tool in slowing the rate of inflation in healthcare cost if a high volume of services can be directed into the facility. This is most likely to occur when there is a sustained level of trust between employees and the employer, the facility is more convenient for employees and their dependents to access than their alternative choices of health care providers, and there is a financial incentive for employees to use the facility.

Milwaukee County’s decentralized workforce presents a clear challenge in identifying an easily accessible clinic site that is geographically convenient for employees and dependents. Further, any location for an onsite clinic will face significant competition from an abundance of existing alternative providers in the Milwaukee market.

Milwaukee County’s unique requirements regarding retiree coverage leave the County with a difficult decision regarding financial incentives for people to utilize the clinic. By adding an

incentive, the County runs the risk of incurring additional costs as a result of having to open the clinic to retirees and coordinate billing with Medicare. If a significant percentage of services are incurred by Medicare-eligible retirees, the clinic could ultimately increase overall health care costs.

It is questionable under current circumstances whether an onsite clinic could draw an adequate percentage of claims to cover the operating costs. Also, under ideal conditions and high levels of utilization, the hard, verifiable savings from an onsite clinic are still relatively limited, and expected to be less than 1% of the active employee health care costs.

Despite the lack of a compelling short-term financial reason for developing an onsite clinic, it can be argued that integrating an onsite clinic with a comprehensive County wellness plan and/or occupational health may be an effective tool for improving the overall health of employees. This could gradually contribute to a decrease in the rate of health care inflation over the long-term. If this project is undertaken, it should be done as a long-term philosophical commitment to gradually creating a healthier workforce, as opposed to achieving a positive return on investment in the near-term.

Recommendation / Next Steps

Based on the findings above, the Employee Benefits Work Group believes caution is required before the County pursues an onsite clinic for Milwaukee County. The decentralized workforce and the availability of alternative providers make it unlikely that the County would realize an adequate volume of claims to make a clinic viable. This problem is compounded by the County's lack of ability to incent employees to use the clinic due to our restrictions regarding retirees.

If the Workgroup is given direction to continue to pursue an onsite health clinic, the next steps would include, but not be limited to the following:

- Conducting an employee interest survey to better assess employees willingness to use a clinic in lieu of their current options, and preferences for placement of a clinic.
- Engage the County's health care actuaries and consultants in a more comprehensive financial analysis of clinic operations. In order to complete this, it will be necessary for the Work Group to receive direction regarding the scope of services that the County would like the clinic to provide, and the extent to which any other County programs should be integrated with a clinic.
- Identify the location and engage Milwaukee County's Architectural, Engineering, and Environmental Services to refine the cost estimates for remodeling space for this purpose.
- The Capital Finance Division of Comptroller's Office will also need to be consulted regarding the County's options for financing the initial build.

cc: County Executive Chris Abele
Amber Moreen, Chief of Staff, County Executive's Office
Kimberly Walker, Corporation Counsel
Kerry Mitchell, Director, Department of Human Resources
Donald Tyler, Director, Department of Administrative Services
Josh Fudge, Fiscal and Budget Administrator, Department of Administrative Services

1 Supervisor David Cullen, Chairperson,
2 From the Committee on Finance, Personnel and Audit, reporting on:

3
4 13-560
5

6 A resolution/ordinance by Supervisors Dimitrijevic, Lipscomb, Sr., Rainey, Broderick,
7 Schmitt, Romo West and Jursik to transfer County Board Committee Clerk staff and related
8 functions to the Office of the County Clerk, by recommending adoption of the following:
9

10 **A RESOLUTION/ORDINANCE**
11

12 WHEREAS, Resolution File No. 13-397, adopted April 25, 2013 (Vote 15-3),
13 outlined a series of changes to reform and define the roles and the responsibilities of the
14 Milwaukee County Board of Supervisors as the policy-making body and the administrative
15 duties of the County Executive, as determined locally; and
16

17 WHEREAS, the recommendations included the County Clerk assuming "control of
18 all Committee Clerk and Committee support staff functions and all related expenditures as
19 it relates to recording and maintaining County Board proceedings and meetings;" and
20

21 WHEREAS, the transition of the aforementioned staff and duties was to occur
22 January 1, 2014, per Resolution File No. 13-397, however, the County Clerk and County
23 Board Chairperson agree that this transition should occur sooner so as to avoid any
24 disruption in recording the official proceedings of the Board; and
25

26 WHEREAS, State Statute 59.23(2)(a) outlines some of the duties of the County Clerk,
27 which include: "Act as clerk of the board at all of the meetings thereof; keep and record in
28 a book therefor true minutes of all the proceedings of the board; make regular entries of
29 the board's resolutions and decisions upon all questions; record the vote of each supervisor
30 on any question submitted to the board, if required by any member present; and perform
31 all duties prescribed by law or required by the board in connection with its meetings and
32 transactions;" and
33

34 WHEREAS, Milwaukee County General Ordinances contain a few references to
35 County Board Committee Clerk staff that should be updated to reflect that these positions
36 and duties shall be under the day-to-day management and supervision of the County Clerk;
37 and
38

39 WHEREAS, the County Clerk is readying space within his office to locate the
40 Committee Clerk related staff and functions which will require minor preparation for
41 information technology and electrical wiring, the costs of which shall be paid within
42 existing 2013 Adopted Budget appropriations of Org. Unit 1000 – County Board, subject
43 to the review and approval of the County Board Chairperson; now, therefore,
44

45 BE IT RESOLVED, that the following positions are transferred from Org. Unit 1000 –

46 County Board to Org. Unit 3270 - County Clerk to provide Committee Clerk and support
47 staff related functions for the County Board effective August 4, 2013:

48

49 **Org. Unit 1000 – County Board**

50

	<u>Title*</u>	<u>Title Code</u>	<u># of Positions</u>
51			
52	Transfer Out: Chief Committee Clerk	86551	1
53	Assist. Chief Committee Clerk	84600	1
54	Committee Clerk	86505	1
55	Support Services	84765	1

56

57 **Org. Unit 3270 – County Clerk**

	<u>Title</u>	<u>Title Code</u>	<u># of Positions</u>
58			
59	Transfer In: Chief Committee Clerk	86551	1
60	Assist. Chief Committee Clerk	84600	1
61	Committee Clerk	86505	1
62	Support Services	84765	1

63

64 *The prefix to the title of these positions is "Administrative Secretary" which may require retitling by the
65 Department of Human Resources.

66

67 ; and

68

69 BE IT FURTHER RESOLVED, that upon the transfer of the aforementioned staff, the
70 County Clerk shall be responsible for the day-to-day supervision and management of
71 Committee Clerk staff and related functions, such as the operation of the Legistar legislative
72 tracking components, to fulfill his duties as outlined in State Statute 59.23(2)(a) to serve the
73 County Board of Supervisors; and

74

75 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
76 hereby amends the Milwaukee County Code of General Ordinances by adopting the
77 following:

78

79 **AN ORDINANCE**

80

81 The Milwaukee County Board of Supervisors ordains as follows:

82

83 SECTION 1. Section 1.09(b)(1)and(5) of the General Ordinances of Milwaukee
84 County is hereby amended as follows:

85

86 (b)

87

88 *Reference to committees and withdrawal from committees.*

89

(1)

90 All resolutions and ordinances other than those embodied in a

91 committee report, as defined in section 1.14(a) of the Code, shall be
92 submitted to the county board chairperson, ~~with a copy to the county~~
93 ~~board chief committee clerk~~. The chairperson shall, within five (5)
94 days of receipt of the document, refer the resolution or ordinance to
95 the appropriate standing committee(s) for a report. The date upon
96 which the chairperson refers the resolution or ordinance shall be
97 deemed as the official referral date to the committee(s). Said action by
98 the chairperson shall be deemed as authorization to the appropriate
99 standing committee chairperson(s) to schedule the resolution or
100 ordinance for review. If the chairperson does not refer the resolution
101 or ordinance to the appropriate standing committee within five (5)
102 days after receipt, that communication, report or request shall
103 automatically be placed on the agenda of the county board at the
104 next meeting for referral to the appropriate standing committee.

105 (5)

106 Except for those resolutions and ordinances which are introduced
107 subsequent to January 1 of an election year, all resolutions and
108 ordinances pending before a committee of the county board shall be
109 considered to have been placed on file at the end of the term of
110 office of the county board. A listing of all such resolutions and
111 ordinances to be placed on file in this manner shall be distributed to
112 all county board supervisors by the ~~county board~~ county clerk chief
113 committee clerk in January of the final year of the term.
114

115 SECTION 2. Section 14.07(2) of the General Ordinances of Milwaukee County is
116 hereby amended as follows:

117
118 14.07. - Duties of the county clerk.

119
120 (2)

121 All information contained in reports required to be filed under the
122 provisions of this chapter shall be compiled by the county clerk, as
123 soon as practicable with respect to which information is filed. A
124 listing of registered lobbyists and principals, and the matters to which
125 the lobbying activities of the principal and lobbyist relate shall be
126 forwarded on a quarterly basis to the county executive, and each
127 member of the county board, ~~and the county board chief committee~~
128 ~~clerk~~.
129

130 SECTION 3. This ordinance shall become effective upon passage and publication
131 or August 4, 2013, whichever is later.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: June 7, 2013

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution/ordinance to transfer County Board Committee Clerk staff and related functions to the Office of the County Clerk

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 |
|--|--|

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/ordinance will transfer four positions from Org. Unit 1000 – County Board to Org. Unit 3270 – County Clerk effective August 4, 2013. The County Clerk shall subsequently be responsible for the day-to-day supervision and management of committee clerk staff and related functions, such as the operation of the Legistar legislative tracking components, to fulfill his duties as outlined in State Statute 59.23(2)(a) to serve the County Board of Supervisors.

Based on the 2013 Adopted Budget, the cost of the positions for salary and fringe benefits (health, pension and social security) for the remaining nine pay periods (beginning August 4, 2013) is approximately \$114,174. This assumption is based on each of the positions being filled at the budgeted amount for the entire period. At the time this fiscal note was prepared, the Support Services position (TC 84765) was vacant.

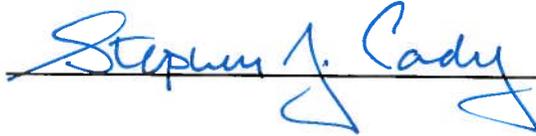
In addition, the County Clerk has received preliminary estimates of the costs to prepare space within his office for the transferred positions. It is expected that these costs which include installation of information technology/electrical connections and other ancillary costs will be less than \$12,000. This cost, as well as the salary cost of the positions, will be paid by the County Clerk. An appropriation transfer will be put forward after the start of the fourth quarter (state law requires that appropriation transfers between departments cannot occur prior to the fourth quarter) that will move the salary and fringe benefit appropriations, as well as any minor office preparation costs, from Org. Unit 1000 – County Board to Org. Unit 3270 – County Clerk.

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.
CBPacket 062013 Page 26

This fiscal note assumes a \$0 fiscal impact because funds are already available within Org. Unit 1000 for the cost of these positions and, due to position vacancies, to cover the costs related to preparing the office space. The ordinance changes have no fiscal impact.

Department/Prepared By Steve Cady, Fiscal and Budget Analyst, County Board

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

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(ITEM 4) A resolution/ordinance by Supervisor Jursik amending Chapter 9 of the Milwaukee County Code of General Ordinances, clarifying the use of County funds to pay for Public Service Announcements and video or air time, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, elected officials adhere to a standard of ethics delineated in Chapter 9 (Code of Ethics) of the Milwaukee County Code of General Ordinances, wherein the following policy directive is declared in section 9.01(1):

It is declared that high moral and ethical standards among county public officials and county employees are essential to the conduct of free government; that the county believes that a code of ethics for the guidance of county public officials and county employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the people of this county in their county public officials and county employees. It is the intent of the county that in its operations the board shall protect to the fullest extent possible the rights of individuals affected.

; and

WHEREAS, elected officials often have responsibility for oversight of budget and budgetary directives with regard to the entire County budget or separate departmental budgets and can direct spending related to the purchase of commercials, advertisements, paid public service announcements and others; and

WHEREAS, the purpose of this resolution/ordinance is to amend the Milwaukee County Code of Ethics to specifically define the policy for appropriate public communications that are paid for with public dollars whether obtained through property taxes, other sales or use taxes, state and federal revenues, grant funding, fees, contributions/donations, or other revenue of County government; and

WHEREAS, using County funds to pay for such paid communications can give the appearance of promoting an elected official prior to re-election campaigns or otherwise suggest that incumbents obtain other advantages through the use of paid advertisements whether or not actual campaigns are in progress; and

WHEREAS, the intent of this policy is not to prohibit County departments from using County funds for official County business such as issuing a request for proposal which may

45 require paid advertisements or to prevent the use of a photo or likeness of an elected
46 official; now, therefore,

47

48 BE IT RESOLVED, that an elected County official may not use County funds to
49 purchase or direct others on his/her behalf to purchase media commercial time or space to
50 place paid advertisements, paid public service announcements or otherwise purchase
51 video or air time that features the elected official whether in video format or with an audio
52 recording of the voice of the elected official; and

53

54 BE IT FURTHER RESOLVED, that notwithstanding this revised policy, there shall be
55 no prohibition against departments using such funds for official County business that
56 require paid advertisements or other public service announcements as long as such
57 purchase does not feature video or voice recording of an elected official; the prohibition
58 shall not apply to the use of merely a photo or likeness of an elected official as long as it is
59 not used with a voice overlay of the official making extended statements; and

60

61 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors hereby
62 amends Sections 9.02 and 9.05, *General Ordinances of Milwaukee County*, by adopting
63 the following:

64

65 **AN AMENDED ORDINANCE**

66

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

69

70 **SECTION 1:** Section 9.02 of the General Ordinances of Milwaukee County is
71 amended as follows:

72

73 **9.02. – Definitions.**

74

75 (1) "Anything of value" means any money or property, favor, service, payment,
76 advance, forbearance, loan, or promise of future employment, business, or
77 other consideration having a value greater than twenty five dollars (\$25.00),
78 but does not include compensation and expenses paid by the county, fees
79 and expenses which are permitted and reported under section 9.14 of the
80 Code, political contributions which are reported under ch. 11, Wis. Stats., or
81 hospitality extended for a purpose unrelated to county business by a person
82 other than an organization.

82

83 (1m) "Appointed official" means any member appointed to a county commission
84 or board.

85

86 (2) "Associated," when used with reference to an organization, includes any
87 organization in which an individual or a member of his/her immediate family
88 is a director, officer, or trustee, or who has a significant fiduciary relationship

- 89 or an individual who owns or controls, directly or indirectly, and severally or
90 in the aggregate, at least ten (10) percent of the outstanding equity.
91
- 92 (3) "Board" means the ethics board.
93
- 94 (4) "Business" means any corporation, partnership, proprietorship, firm,
95 enterprise, franchise, association, organization, self-employed individual, or
96 any other legal entity that engages in profit-making activities.
97
- 98 (5) "Conflict of interest" means a public official's or employee's action or failure
99 to act in the discharge of his or her official duties which could reasonably be
100 expected to produce or assist in producing a substantial economic or
101 personal benefit for such official, his or her immediate family or an
102 organization with which he or she is associated.
103
- 104 (6) "County funds" means all funds received by the county, which flow through
105 the county's financial system, for the purposes of supporting the county's
106 operations, including federal and state revenue, property taxes, other sales
107 and use taxes, fees, grant revenue, contributions/donations and any other
108 revenue sources of county government.
109
- 110 (67) "Elected official" means any person holding an elected county office.
111
- 112 (78) "Employee" means any person holding an office or position in the classified
113 service of the county or any person holding a non-classified office or
114 position, except elected officials and appointed officials.
115
- 116 (89) "Gift" means the payment or receipt of anything of value without valuable
117 and sufficient consideration.
118
- 119 (910) "Immediate family" means an individual's:
120
- 121 (a) Spouse; and
122
- 123 (b) Child, parent or sibling or in-law or step-relative of the same degree
124 who receives, directly or indirectly, more than one-half (½) of his/her
125 support from the individual or from whom the individual receives,
126 directly or indirectly, more than one-half (½) of his /her support.
127
- 128 (110) "Investigation request" means a written and signed statement from a person
129 stating that there are specific acts or omissions by an identified person
130 subject to the Code from unverified sources which appear prima facie to
131 constitute a violation of the Code and for which the requestor is seeking that
132 an investigation be undertaken to determine whether a matter should be

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pursued under the verified complaint proceedings. The investigation request must remain confidential until disclosure is permitted or required by the Code unless the subject of the complaint requests in writing that it be made part of the public record.

- (~~124~~) "Lobbying" means the practice of attempting to influence legislative or administrative action by oral or written communication with any public official.
- (~~132~~) "Ministerial action" means an action that an individual performs in a given state of facts in a prescribed manner in obedience to the mandate of legal authority, without regard to the exercise of the individual's own judgment as to the propriety of the action being taken.
- (~~143~~) "Organization" means any stock or non-stock corporation, partnership, proprietorship, firm, enterprise, franchise, incorporated or unincorporated association, trust or other legal entity other than an individual or body politic.
- (~~154~~) "Privileged information" means information obtained under government authority which has not become a part of the body of public information.
- (~~165~~) "Probable cause" means information sufficient to support a reasonable belief that an identified person has or may have violated one (1) or more provisions of this Code.
- (~~176~~) "Public official" means any elected official or appointed official.
- (~~187~~) "Reporting period" means any six-month period beginning with Jan. 1 and ending with June 30 or beginning with July 1 and ending with Dec. 31 or annual period beginning January 1 through December 31.
- (~~198~~) "Significant fiduciary relationship" means owning or controlling, directly or indirectly:
 - (a) At least ten (10) percent of the outstanding stock or stock of any business corporation having a cost or market values of at least five thousand dollars (\$5,000.00), or
 - (b) An interest of at least ten (10) percent or five thousand dollars (\$5,000.00) of any organization.
- (~~1920~~) "Resources" means county supplies, services, property, or facilities not available to all citizens.

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(210) "Verified complaint" means a written statement from a person, given under oath and subscribed before a notary public or other official authorized to administer oaths, alleging specific acts or omissions constituting a violation of the Code by an identified person subject to the Code. The verified complaint must remain confidential until disclosure is permitted or required by the Code unless the subject of the complaint requests in writing that it be made part of the public record.

SECTION 2: Section 9.05 of the General Ordinances of Milwaukee County is amended as follows:

9.05. - Standards of conduct.

- (1) *No personal or economic interest in decisions and policies:* The county board hereby reaffirms that a county elected official, appointed official or employee holds his/her position as a public trust, and any effort to realize personal gain through official conduct is a violation of that trust. This chapter shall not prevent any county elected official, appointed official or employee from accepting other employment or from following any pursuit which does not interfere with the full and faithful discharge of his/her duties to the county. The county board further recognizes that in a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as public officials or public employees retain their rights as citizens to interests of a personal or economic nature; that standards of ethical conduct for public employees and public elected and appointed officials need to distinguish between those minor and inconsequential conflicts which are unavoidable in a free society and those conflicts which are substantial and material; and that county elected officials, appointed officials or employees may need to engage in employment and/or professional or business activities, other than official duties, in order to support their families and to maintain a continuity of professional or business activity or may need to maintain investments. However, the code maintains that such activities or investments must not conflict with the specific provisions of this chapter.
- (2) (a) *No financial gain or anything of substantial value:* Except as otherwise provided or approved by the county board, no county public official or employee shall use his/her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself/herself or his/her immediate family, or for an organization with which he/she is associated. This paragraph does not prohibit a county elected official from using the title or prestige of his/her office to obtain

221 campaign contributions that are permitted by and reported as required by ch.
222 11, Wis. Stats.
223
224 (b) *No person may offer anything of value:* No person shall offer or give to any
225 public official or employee, directly or indirectly, and no public official or
226 employee shall solicit or accept from any person, directly or indirectly,
227 anything of value if it could reasonably be expected to influence the public
228 official's or employee's vote, official actions or judgment, or could
229 reasonably be considered as a reward for any official action or inaction or
230 omission by of the public official or employee. This section does not prohibit
231 a public official or an employee from engaging in outside employment.
232
233 (c) *No substantial interest or benefit:* Except as otherwise provided in paragraph
234 (1.), no public official or employee shall:
235
236 1. Take any official action substantially affecting a matter in which the
237 public official, employee, a member of his/her immediate family, or
238 an organization with which the public official or employee is
239 associated has a substantial financial interest.
240
241 2. Use his/her office or position in a way that produces or assists in the
242 production of a substantial benefit, direct or indirect, for the public
243 official, employee, members of the public official's or employee's
244 immediate family either separately or together, or an organization
245 with which the public official or employee is associated.
246
247 (d) *No disclosure of privileged information:* No county public official or
248 employee shall use or disclose privileged information gained in the course
249 of, or by reason of, his/her position or activities which in any way could
250 result in financial gain for himself/herself or for any other person.
251
252 (e) *No use of public position to influence or gain unlawful benefits, advantages*
253 *or privileges:* No county public official or employee shall use or attempt to
254 use his/her public position to influence or gain unlawful benefits,
255 advantages, or privileges for himself/herself or others.
256
257 (f) *No offer of gifts or anything of value:* No county public official shall offer or
258 give anything of value to a member or employee of a county department or entity,
259 while that member or employee is associated with the county department or entity,
260 and no member or employee of a department shall solicit or accept from any such
261 person anything of value from a county official or employee.
262
263 (g) *Limits on contracts with county:* No county public official or employee and
264 no business with which he/she or his/her spouse has a significant fiduciary

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relationship or any organization with which he/she or his/her spouse is associated shall enter into any contract with the county unless that contract has been awarded through a process of public notice and competitive bidding in conformity with applicable federal and state statutes and county ordinances.

(h) *Limits on lease of real estate with county:* No county public official or employee and no business in which that county public official or employee has a ten (10) percent or greater interest shall enter into a lease of real property with the county, except that the county board, upon a publicly filed and considered request, shall waive this subsection when it is in the best interests of the county.

(i) *No limits on lawful payments:* Paragraph (c) does not prohibit an elected official from taking any action concerning lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit an elected official from taking official action with respect to any proposal to modify a county ordinance.

(j) *No solicitation of at-will employees:* No elected county official shall knowingly solicit a campaign contribution from any "at-will employee" defined as an employee who is not under union or labor contract with the county, who is hired for an indefinite term or who is under an independent contract with the county or its subparts or who can be discharged or terminated at any time for any nondiscriminatory reason.

(k) *No campaign contributions to county officials with approval authority:* No person(s) with a personal financial interest in the approval or denial of a contract or proposal being considered by a county department or with an agency funded and regulated by a county department, shall make a campaign contribution to any county elected official who has approval authority over that contract or proposal during its consideration. Contract or proposal consideration shall begin when a contract or proposal is submitted directly to a county department or to an agency funded or regulated by a county department until the contract or proposal has reached final disposition, including adoption, county executive action, proceedings on veto (if necessary) or departmental approval. This provision does not apply to those items covered by section 9.14 unless an acceptance by an elected official would conflict with this section. The language in subsection 9.05(2)(k) shall be included in all Requests for Proposals and bid documents.

(l) *Limits on honorarium fees or expense reimbursements:* No county public official or employee shall accept or solicit any honorariums, fees or expense reimbursements except in accordance with section 9.14

(m) *Limits on purchased commercial time/paid public speech:* No elected county official shall use county funds to purchase or direct others on his/her behalf to

309 purchase media commercial time or space, to place paid advertisements, or paid
310 public service announcements that feature the elected official in video format or
311 with an audio recording of the voice of the elected official. This limitation shall not
312 include newsletters, press releases or pictures released by the elected official that
313 does not require purchase through third-party advertisers or paid commercial time
314 or space.

315

316 (3) *Limits on contact:*

317

318 (a) *Limits on contact with former county associates:* No former county public
319 official or employee, for twelve (12) months following the date on which he/she
320 ceases to be a county public official or employee, shall, for compensation, on behalf
321 of any person other than a governmental entity, make any formal or informal
322 appearance before or try to settle or arrange a matter by calling, writing, or
323 conferring with, any county public official, officer or employee of the department
324 with which he/she was associated as a county public official or employee.

325

326 (b) *Limits on contact with judicial or quasi-judicial proceedings:* No former
327 county public official or employee for twelve (12) months following the date on
328 which he/she ceases to be a county public official or employee, shall for
329 compensation on behalf of himself/herself or any person other than a governmental
330 entity, make any formal or informal appearance before, or try to settle or arrange a
331 matter by calling, writing, or conferring with, any county public official, officer or
332 employee of a department in connection with any judicial or quasi-judicial
333 proceeding, application, contract, claim, or charge which was under the former
334 public official's or employee's responsibility as a county public official or employee.

335

336 (c) *Limits on contacts with judicial or quasi-judicial proceedings where*
337 *personally participated:* No former county public official or employee shall,
338 whether for compensation or not, act on behalf of any party other than the county in
339 connection with any judicial or quasi-judicial proceeding, application, contract,
340 claim, or charge in which the former public official or employee participated
341 substantially as a public official or employee.

342

343 (d) *Consideration of exemptions:* The ethics board shall accept and review
344 written requests by former appointed officials for an exemption from the
345 prohibitions of (3). Such exemption requests must be heard and deliberated during a
346 properly convened open session of an ethics board meeting and must be included
347 in a written ethics board opinion stating the reason(s) that the former appointed
348 official should be exempt from the otherwise prohibited conduct.

349

350 **SECTION 3:** This ordinance shall become effective upon passage and publication.

351

352

353

354 jmj
355 05/07/13
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 3/26/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution/ordinance amending Chapter 9 of the Milwaukee County Code of General Ordinances, clarifying the use of County funds to pay for Public Service Announcements and video and air time.

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.

This resolution/ordinance would amend Chapter 9 of the Milwaukee County Code of General Ordinances adding a provision to the Ethics Code limiting purchased commercial time/paid public speech by elected officials.

There is no fiscal effect associated with adoption of this resolution/ordinance.

Department/Prepared By Jennifer Collins, County Board Research Analyst

Authorized Signature *Jennifer Collins*

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

COUNTY BOARD
CHAIRMAN

2013 MAR 26 PM 1:44

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

5-24-2013 FINANCE, PERSONNEL AND AUDIT COMMITTEE APPROPRIATION TRANSFERS
 A DEPARTMENTAL - RECEIPT OF REVENUE File No. 13-1/13-532
 (Journal, December 20, 2012)

Action Required

Finance, Personnel and Audit 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 2013 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) 4021 – Expressway Patrol (Office of the Sheriff)		
5201 – Overtime		\$64,981
5312 – Social Security Taxes		\$ 4,971
8552 – Mach and Equip New > \$2,500		\$ 4,999
2299 – Other St Grants and Reimbur	\$74,951	

A transfer in the amount of \$74,951 is being requested by the Office of the Sheriff to increase the appropriations relating to other state grants and reimbursements. The request is being submitted to recognize the receipt of revenue from a grant administered by the State of Wisconsin for Alcohol Enforcement for 2013.

The grant monies must be spent prior to September 30, 2013, as stipulated by the grant. This fund transfer seeks to use the grant monies by purchasing a Double Eagle Radar Unit in an amount not to exceed \$4,999 and for overtime costs in an amount not to exceed \$69,952, as detailed above, to fund 1,284 patrol hours authorized under this grant. Patrol hours will be utilized for reducing the number of alcohol-related crashes and fatalities.

The grant requires a 25% match, which will be provided from existing funds in the Office of the Sheriff budget relating to Expressway Patrol.

It should be noted that the acceptance of this transfers is contingent upon acceptance of the grant award by the County Board.

There is no tax levy impact from this transfer

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

			<u>From</u>	<u>To</u>
2)	<u>7985 – Care Managed Services</u>			
3726	A6CC	CMO Capitation – Comprehensive		5,020,963
3727	A6CS	CMO Client Share Revenue		194,772
3727	A6RB	CMO Client Share Revenue		377,166
3727	A6SP	CMO Client Share Revenue		48,469
6148		Prof Serve. Recurring Operation	41,308	
8497	A6A2	Allowance for Cost Share	4,767	
8497	A6A3	Allowance for Room and Board	8,917	
8497	A6A4	Allowance for Spend Down	1,454	
8127	A6CM	CMO – External	388,406	
8126	A6DM	Durable Medical Equipment	109,336	
8126	A6DA	Day Services	273,160	
8126	A6NH	Nursing Home	1,015,294	
8126	A6RC	Residential Services	2,858,524	
8126	A6SD	Self-directed Support	44,889	
8126	A6MH	Mental Healthcare	166,476	
8126	A6HH	Home Healthcare	401,517	

7981- CMCS Administration

6509		Building Space Rental	68,000	
6699		Other Rep. And Maintenance	6,576	
6080		Postage	1,794	
6640		R/M Office Equipment	5,979	
6148		Prof Serv. Recurring Operation	194,305	
7920		Books and Periodicals Films	1,034	
7973		Minor Office Equipment	3,587	
6030		Advertising	44,840	
6149		Prof. Serv. Nonrecurring	1,209	

The Director of the Milwaukee County Department of Family Care (MCDFC) is requesting a transfer of \$5,641,370 to reflect a revenue decrease and offset operating expenditure decrease in accordance with updated enrollment projections and a reduced 2013 capitation rate of \$3,076.60 for the MCDFC Kenosha/Racine Managed Care Organization. Updated forecasts show a \$5,020,963 decrease in budgeted capitation revenue and a \$620,407 decrease in Client Share revenue.

\$4,869,195 of the \$5,641,370 decrease in expenditure authority relates to member services:

Member Service Expenses	
Durable Medical Equipment	\$ 109,336
Day Services	\$ 273,160
Nursing Home	\$ 1,015,294
Residential Services	\$ 2,858,524
Self-directed Support	\$ 44,889
Mental Healthcare	\$ 166,476
Home Healthcare	\$ 401,517
Total	\$4,869,195

Other program expenses are projected to decrease a total of \$772,175:

Other Program Expenses	
Building Space Rental	\$ 68,000
Other Rep. And Maintenance	\$ 6,576
Postage	\$ 1,794
R/M Office Equipment	\$ 5,979
Prof. Serv. Recurring Operation	\$ 235,612
Books and Periodicals Films	\$ 1,034
Minor Office Equipment	\$ 3,587
Advertising	\$ 44,840
Prof. Serv. Nonrecurring	\$ 1,209
CMO - External	\$ 388,406
Allowance for Cost Share	\$ 4,767
Allowance for Room and Board	\$ 8,917
Allowance for Spend Down	\$ 1,454
Total	\$772,175

Approval of this fund transfer results in no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 16, 2013.

		<u>From</u>	<u>To</u>
3)	<u>7987 – CMO Administration</u>		
	6509 Building Space Rental		15,000
	6148 Prof Serv. Recurring Operation		7,788
	<u>7988 – Care Managed Units</u>		
	8127 A6CM CMO – External		16,530
	8126 A6DM Durable Medical Equipment		2,898
	8126 A6DS Disposable Medical Supplies		10,073
	8126 A6NH Nursing Home		16,661
	8126 A6RC Residential Services		79,209
	8126 A6PC Personal Care		766
	8126 A6HH Home Health Care		26,559
	8126 A6TR Transportation		3,928
	8126 A5SH Supportive Home Care		26,463
	8497 A6A2 Allowance for Cost Share		185
	8497 A6A3 Allowance for Room and Board		536
	8497 A6A4 Allowance for Spend Down		29
	3726 A6CC CMO – Comprehensive	181,619	
	3727 A6CS CMO – Client Share Revenue	6,159	
	3727 A6RB CMO – Client Share Revenue	17,879	
	3727 A6SP CMO – Client Share Revenue	969	

The Director of the Milwaukee County Department of Family Care (MCDFC) is requesting a transfer of \$206,625 to establish a 2013 budget for the expansion of the MCDFC MCO operation to Sheboygan, Ozaukee, Washington, Waukesha and Walworth Counties.

The MCDFC will offer the Family Care benefit package to frail elderly and individuals aged 18 to 59 with developmental and physical disabilities in Sheboygan, Ozaukee, Waukesha, and Walworth Counties

as of July 1, 2013. Forecasted enrollment capitation revenue is projected at \$181,619 and client share revenue is projected at \$25,006 for the remainder of 2013.

\$166,557 of the \$206,625 in increased expenditure authority includes member service expenses:

Member Service Expenses	
Durable Medical Equipment	\$ 2,898
Disposable Medical Supplies	\$ 10,073
Nursing Home	\$ 16,661
Residential Services	\$ 79,209
Personal Care	\$ 766
Home Health Care	\$ 26,559
Transportation	\$ 3,928
Supportive Home Care	\$ 26,463
Total	\$166,557

Other projected 2013 program expenses:

Other Program Expenses	
CMO – External	\$ 16,530
Building Space Rental	\$ 15,000
Prof Serv. Recurring Operation	\$ 7,788
Allowance for Cost Share	\$ 185
Allowance for Room and Board	\$ 536
Allowance for Spend Down	\$ 29
Total	\$40,068

Approval of this transfer will result in no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
4) <u>7991- CMO Administration</u>		
6050 Contract Pers. Serv. Short		50,000
4707 Contribution from Reserves		1,435,812
6149 Prof. Serv. Non-Recurring Operation		25,000
8297 Contribution to Reserves		1,479,910
6147 Prof. Serve Data Process		331,320
<u>7995- Care Managed Units</u>		
3726 A6CC CMO Capitation - Comprehensive		289,597

3727	A6CS	CMO Client Share Revenue	742,545
3727	A6RB	CMO Client Share Revenue	1,773,618
8497	A6A2	Allowance for Cost Share	9,831
8497	A6A3	Allowance for Room and Board	142,547
8497	A6A4	Allowance for Spend Down	51,204
6148		Prof Serv. Recurring Operation	221,674
3726	A6CI	CMO Capitation - Intermediate	224,119
3727	A6SP	Spend Down - CMO	49,388
8126	A6DA	Day Services	510,771
8126	A6DS	Disposable Medical Supplies	113,471
8126	A6DM	Durable Medical Equipment	54,439
8126	A6UC	Employment Services	22,169
8126	A6FM	Financial Services	52,597
8126	A6HH	Home Health Care	160,684
8126	A6MM	Meals	46,856
8126	A6MH	Mental Health Care	16,529
8126	A6NH	Nursing Home	1,226,200
8126	A6TH	Occupational Therapy	28,010
8126	A6PC	Personal Care	27,899
8126	A6PR	Personal Response Unit	17,062
8126	A6RC	Residential Service	2,344,915
8126	A6SD	Self-directed Support	44,012
8126	A6SH	Supportive Home Care	1,170,589

The Director of the Milwaukee County Department of Family Care (MCDFC) is requesting a transfer of \$6,331,384 related to two factors: an increase in capitation rates (from \$2,747.96 to \$2,777.05) for the MCDFC Milwaukee Managed Care Organization (MCO) and a decrease in enrollment based on recent projections. These factors result in a net increase of \$2,915,722, which will be contributed reserve funds.

On December 13, 2012, the County Board Adopted the resolution File No. 13-16, authorizing the execution of a contract with the State Department of Health Services (DHS) to operate an MCO to provide the Family Care benefit in Milwaukee County for the period January 1, 2013 through December 31, 2013.

The MCDFC receives a Capitation Rate for each enrolled Family Care member per month from the State DHS. The capitation rate is calculated as a blended rate consisting of a two-year inflationary trend and administration allowance based on 2011 expenses for the three target groups: Developmentally Disabled (DD), Physically Disabled (PD), and Frail Elderly (FE). Based on new enrollment data, the 2013

enrollment has been reforecasted and a fund transfer is necessary to reflect updated operating revenues and corresponding expenditure authority.

\$5,836,203 of the \$6,057,877 decrease in expenditure authority is member service expenses related to decreased enrollment projections:

Member Service Expenses	
Day Services	\$ 510,771
Disposable Medical Supplies	\$ 113,471
Durable Medical Equipment	\$ 54,439
Employment Services	\$ 22,169
Financial Services	\$ 52,597
Home Health Care	\$ 160,684
Meals	\$ 46,856
Mental Health Care	\$ 16,529
Nursing Home	\$ 1,226,200
Occupational Therapy	\$ 28,010
Personal Care	\$ 27,899
Personal Response Unit	\$ 17,062
Residential Service	\$ 2,344,915
Self Directed Support	\$ 44,012
Supportive Home Care	\$ 1,170,589
Total	\$ 5,836,203

Administrative expenditure authority is increased by \$609,902:

Administrative Expenditure Authority	
Prof. Serve Data Process	\$ 331,320
Allowance for Cost Share	\$ 9,831
Allowance for Room and Board	\$ 142,547
Allowance for Spend Down	\$ 51,204
Contract Pers. Serv. Short	\$ 50,000
Prof. Serv. Non-Recurring Operation	\$ 25,000
Total	\$ 609,902

The 2013 adopted budget included a deficit of \$1,435,812, which was to be drawn from the reserve. The changes presented in this report will result in a forecasted \$1,479,910 surplus, which will instead be added to the reserves.

Approval of this transfer results in no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
5) 3010 – Election Commission		
6403 – Ballot & Election Supplies		\$20,000
2999 – Revenue from Other Gov. Unit	\$20,000	

Request

A transfer in the amount of \$20,000 is being requested by the Department Administrator of the Election Commission to recognize excess revenue based on invoices sent to municipalities for costs related to the spring 2013 elections.

In accordance with Wisconsin Statute Sec. 5.68(2), (5) and 7.03(1)(bm) and cost distribution guidelines provided by the Wisconsin Government Accountability Board, Milwaukee County is responsible for all costs associated with any special election for a County office.

During the spring election there was a selection election for County Board Supervisor Districts 2 and 17, costs for which totaled approximately \$8,400. In addition, the Election Commission also experienced significant unanticipated costs related to municipal elections, for which it must make payment and then seek reimbursement from the municipalities.

To date, the Election Commission has received \$5,853 in revenue with another \$64,839 that has been invoiced for the costs referenced above. This would result in a total of \$70,692 in revenues. The 2013 Adopted Budget includes \$50,750 in revenues; as a result the invoiced total is approximately \$20,000 above the budgeted level.

This fund transfer would recognize the excess revenues that have been invoiced and increase the expenditure authority by the same amount in order to provide sufficient funding for outstanding invoices related to the spring 2013 elections.

The Election Commission originally requested \$35,000 to cover spring 2013 election costs from the contingency fund during the May cycle. This item was laid over until June cycle. Since that time, the Election Commission has been able to find alternative funds, unrecognized revenues, to cover the costs for the unanticipated expenditures and no longer wishes to seek contingency funds.

There is no tax levy impact from this transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 30, 2013.

	<u>From</u>	<u>To</u>
6) <u>9500 – Zoo</u>		
4932 - Other Private Funding Revenue	\$500,000	
8495 - Budget Abatement OC Misc		\$500,000

An appropriation transfer of \$500,000 is requested by the Director of the Zoological Gardens (Zoo) to accept revenue from the Zoological Society and establish related expenditure authority.

The 2013 Adopted Budget includes a lump sum reduction of \$553,329 to be offset with additional support from the Zoological Society resulting from a re-negotiated Memorandum of Understanding (MOU). Zoo staff and the Zoological Society have made significant progress, however the parties are still involved in negotiations. In the meantime, the Zoological Society agreed to raise membership rates in 2013 to allow the Society to contribute an additional \$500,000 to the Zoo. If the transfer is approved, an expenditure reduction of \$53,329 will remain in the Zoo Budget.

There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 16, 2013.

Action Required
 Finance, Personnel and Audit 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 2013 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) <u>WH080012 S. 76th St. Bridge #164 over West Forest Home #</u>		
6146 – Professional Services- Cap Major Maintenance		\$31,208
2299 – Other State Grants and Reimbursements	\$24,966	
<u>WH201132 North Port Washington Rd (Good Hope to Bergen)#</u>		
6146 – Professional Services- Cap Major Maintenance		\$142,820
2299 – Other State Grants and Reimbursements	\$114,256	
<u>WH082032 Rawson Ave. (S. 27th St. to S. 6th St.)#</u>		
6146 – Professional Services- Cap Major Maintenance		\$9,689
2299 – Other State Grants and Reimbursements	\$7,751	
<u>WH020141 W. Oklahoma Ave. (S. 76th St. to S. 72nd St.)#</u>		
6146 – Professional Services- Cap Major Maintenance		\$8,804
2299 – Other State Grants and Reimbursements		
<u>WH001092 W. Hampton Ave. (N. 60th St. to N 124th</u>		

St.)#

6146 – Professional Services- Cap Major \$177,629
Maintenance

2299 – Other State Grants and Reimbursements \$177,629

WO870011 County Special Assessments#

8589 – Other Capital Outlay \$45,548

Existing Project, + Included in 5-Year Plan, * New Project

An appropriation transfer of \$370,150 is requested by the Director of the Department of Transportation to increase expenditure authority and revenue for various capital improvement projects in order to provide the financing necessary to make final payments to the Wisconsin Department of Transportation (WisDOT). Expenditure authority is being transferred from Project WO870 County Special Assessments to finance the local share of the final payments.

The construction on the projects listed below has been completed. This appropriation transfer will provide the necessary financing to pay the final invoices from WisDOT. The total amount of the invoices is \$370,150. Financing is being provided by \$324,602 of State Revenue and the local share of \$45,548 is being financed with surplus expenditure authority from Project WO870 County Special Assessments.

- Project WH080012 S. 76th St. Bridge #164 over West Forest Home (\$24,966 State, \$6,242 Local)
- Project WH201132 North Port Washington Rd. (Good Hope to Bergen) (\$114,256 State, \$28,564 Local)
- Project WH082032 E. Rawson Ave. (S. 27th St. to S. 6th St.) (\$7,751 State, \$1,938 Local)
- Project WH020141 W. Oklahoma Ave. (S. 76th St. to S. 72nd St.) (\$8,804 Local)
- Project WH001092 W. Hampton Ave. (N. 60th St. to N. 124th St.) (\$177,629 State)

This fund transfer has no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

Action Required
 Finance, Personnel and Audit 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 2013 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) <u>4300 – House of Correction</u>		
6503 – Equipment Rental – Short Term		\$657,500
<u>1945 – Appropriation for Contingency</u>		
8901 – Appropriation for Contingency	\$657,500	

A transfer in the amount of \$657,500 is being requested by the House of Correction to increase the appropriations relating to Electronic Monitoring Unit (EMU) programming (Equipment Rental – Short Term).

In January of 2013, funds in the amount of \$657,500 were transferred from the House of Correction and Office of the Sheriff into the Appropriations for Contingency account. These monies were budgeted for the EMU programming costs and were subsequently transferred due to the Office of the Sheriff cancelling the contract with the vendor who rented the EMU equipment to the County. The Office of the Sheriff has not place any inmates on the EMU since October of 2012.

At the time of the transfer, it was envisioned that the funds for the programming would be transferred back to the House of Correction once the Superintendent was put into place in order to enable the operation of the EMU program as envisioned by the terms of the 2013 Adopted Budget.

Since the Superintendent assumed control of the House of Correction in May of 2013, this fund transfer seeks to provide sufficient expenditure authority to the House of Correction to pay the costs for EMU programming.

There is no tax levy impact from this transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

Action Required

Finance, Personnel and Audit Committee
 County Board (Majority Vote)

WHEREAS, your committee has received from the Department of Administrative Services, Fiscal Affairs, departmental requests for transfer to the 2013 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 2013 capital improvement appropriations:

	<u>From</u>	<u>To</u>
1) <u>WH001151 S. 76th St. Intersection of Edgerton and Layton Ave. #</u>		
9706 – Professional Division Services	\$2,000	
9716 – CBDP Division Services		\$2,000
<u>WH001162 Pedestrian Countdown Signal Heads (49 Locations) #</u>		
9706 – Professional Division Services	\$2,000	
9716 – CBDP Division Services		\$2,000
<u>WH010021 W. Mill Rd. (N 43rd St. to N. Teutonia Ave.) #</u>		
9706 – Professional Division Services	\$2,000	
9716 – CBDP Division Services		\$2,000
<u>WH010172 S. 76th St. (W. Puetz Rd. to W. Imperial Dr.) #</u>		
9706 – Professional Division Services	\$2,000	
9716 – CBDP Division Services		\$2,000
<u>WH022012 N. 107th St. (Brown Deer to NCL) #</u>		
9706 – Professional Division Services	\$4,000	
9716 – CBDP Division Services		\$4,000
<u>WT049011 Bus Vacuum System- Kinnickinnic Garage #</u>		

9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WT052011 Fire Alarm System – Fond du Lac Garage</u>			
<u>#</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WT053011 Bus Vacuum System- Fiebrantz Garage #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WT054011 Bus Wash System- Kinnickinnic Garage</u>			
<u>#</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WT056011 Replace HVAC System at Kinnickinnic</u>			
<u>Garage #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WT066011 Replace Bus Wash System- Fiebrantz</u>			
<u>Garage #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WT067011 Replace Roof Flashings at MCTS Fleet</u>			
<u>Maintenance #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WT069011 Replace Underground Storage Tanks at</u>			
<u>MCTS Fleet Maintenance #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WT071014 Bus Protector Shields #</u>			
8588	- Other Capital Outlay	\$2,000	
9716	- CBDP Division Services		\$2,000

<u>WA042012 Bag Claim Remodeling #</u>		
9706	- Professional Division Services	\$4,236
9716	- CBDP Division Services	\$4,236
<u>WA064012 Phase II Residential Sound Mitigation</u>		
<u>Program #</u>		
8509	- Other Building Improvement (CAP)	\$4,000
9716	- CBDP Division Services	\$4,000
<u>WA112011 GMIA Taxiway R & R3 Reconstruction #</u>		
8527	- Land Improvements (CAP)	\$2,000
9716	- CBDP Division Services	\$2,000
<u>WA122012 GMIA Pavement Rehabilitation #</u>		
9706	- Professional Division Services	\$4,000
9716	- CBDP Division Services	\$4,000
<u>WA123012 GMIA Airfield Safety Improvements #</u>		
9706	- Professional Division Services	\$2,000
9716	- CBDP Division Services	\$2,000
<u>WA125012 GMIA Security & Wildlife Deterrent</u>		
<u>Perimeter Fencing #</u>		
9706	- Professional Division Services	\$2,000
9716	- CBDP Division Services	\$2,000
<u>WA158012 GMIA Runway 7R Deicing Pad #</u>		
9706	- Professional Division Services	\$4,000
9716	- CBDP Division Services	\$4,000
<u>WA167012 GMIA Terminal Escalator Replacement #</u>		
9706	- Professional Division Services	\$2,000
9716	- CBDP Division Services	\$2,000
<u>WA169012 LJT Runway and Taxiway Lights #</u>		
9706	- Professional Division Services	\$2,000
9716	- CBDP Division Services	\$2,000
<u>WA172012 GMIA Sanitary Sewer Upgrade #</u>		
9706	- Professional Division Services	\$2,000
9716	- CBDP Division Services	\$2,000
<u>WA173011 GMIA Fuel Farm Electrical Service</u>		

Upgrade #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WA176011 GMA Master Plan AGIS/EALP #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WA177012 GMA Parking Structure Repairs #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WV009012 Countywide Sanitary Sewers Repairs #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WP070252 Lindberg Park Rehabilitations #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WP167052 Veterans Park Pavilion and Restroom

Replacement #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WP202011 MLK Jr. Community Center HVAC

Replacement #

9706 – Professional Division Services \$4,000
9716 – CBDP Division Services \$4,000

WP254011 Whitnall Golf Course Pedestrian Bridges

#

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WP260012 Holler Park Pool Sand Filtration System #

8509 – Other Building Improvement \$2,000
9716 – CBDP Division Services \$2,000

WP264011 Estabrook Dam Impoundment Sediment

Remediation #

9706	- Professional Division Services	\$4,000	
9716	- CBDP Division Services		\$4,000
<u>WP267011 Multi Use Trail- Oak Creek Parkway #</u>			
<u>(Howell to 13th)</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WP269012 Wehr Nature Center Improvements #</u>			
8509	- Other Building Improvements	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WP270011 Oak Creek Parkway Lighting System #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WP271011 Johnson Park Pavilion #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WP272012 Noyes Pool Partial Roof Replacement #</u>			
8509	- Other Building Improvements	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WP273011 Grobschmidt Park Pool Rehabilitation #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WP279012 Humboldt Park Walkways #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WP280011 Menomonee River Parkway</u>			
<u>Reconstruction #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WZ078012 Elephant Yard Shading Structure #</u>			
8501	- Building/Structures New- (CAP)	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WZ089011 Zoo South End Hay Barn Roof</u>			

Replacement #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WZ100012 Zoo Elephant Service Area Utility

Protection #

8501 – Building/Structures New- (CAP) \$2,000
9716 – CBDP Division Services \$2,000

WZ107012 Zoo Bear Service Area Improvements #

8509 – Other Building Improvement (CAP) \$2,000
9716 – CBDP Division Services \$2,000

WZ600011 Zoo Master Plan #

6146 – Professional Services (CAP) \$2,000
9716 – CBDP Division Services \$2,000

WC013012 Criminal Justice Facility Deputy

Workstations #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WC050012 Courtroom Public Address System

Replacement #

8502 – Major Maintenance Bldg- (EXP) \$2,000
9716 – CBDP Division Services \$2,000

WC086012 City Campus Cooling Towers

Replacement #

8509 – Other Building Improvement (CAP) \$2,000
9716 – CBDP Division Services \$2,000

WC078011 Milwaukee Justice Center Area Build Out

#

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WC081011 Safety Building Cooling Tower

Replacement #

9706 – Professional Division Services \$2,000
9716 – CBDP Division Services \$2,000

WC087011 New Huber Facility #

9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000

WO038011 Marcus Center HVAC Upgrade #

9706	- Professional Division Services	\$4,000	
9716	- CBDP Division Services		\$4,000

WO060011 Kinnickinnic River Parkway (57th to 60th)

#

9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000

WO114112 Courthouse Complex Improvements #

9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000

WO115011 County Grounds Energy Conversion from

WE Energies Chilled Water to Independent Chiller #

9706	- Professional Division Services	\$4,000	
9716	- CBDP Division Services		\$4,000

WO215011 Storage Expansion #

6146	- Professional Services (CAP)	\$2,000	
9716	- CBDP Division Services		\$2,000

WO218011 Technical Infrastructure Replacement #

6146	- Professional Services (CAP)	\$2,000	
9716	- CBDP Division Services		\$2,000

WO221021 Clean Agent Fire Suppression System in

MER #

9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000

WO221031 Phase 2 Upgrade of MER Server room @

CJF #

9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000

WO433012 Glass Barrier at Criminal Justice Facility

#

8509	- Other Building Improvements	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WO517011 War Memorial Renovations #</u>			
9706	- Professional Division Services	\$4,000	
9716	- CBDP Division Services		\$4,000
<u>WO602011 Mainframe Applications Migration #</u>			
6146	- Professional Services (CAP)	\$2,000	
9716	- CBDP Division Services		\$2,000
<u>WO614011 Build Out Ten Sites to Digital #</u>			
6146	- Professional Services (CAP)	\$4,000	
9716	- CBDP Division Services		\$4,000
<u>WO621011 Windows Migration #</u>			
6146	- Professional Services (CAP)	\$4,000	
9716	- CBDP Division Services		\$4,000
<u>WO888031 Marcus Center Elevator Modernization #</u>			
9706	- Professional Division Services	\$2,000	
9716	- CBDP Division Services		\$2,000

Existing Project, + Included in 5-Year Plan, * New Project

An appropriation transfer of \$158,236 is requested by the Director of the Department of Community Business Development Partners (CBDP) to reallocate expenditure authority within various 2013 Adopted Capital Improvements projects in order to provide the financing necessary to pay for services provided by the CBDP Department.

The 2013 Adopted Budget (Budget) included \$158,236 of internal service revenue in the CBDP Department. The 2013 Budget did not include the corresponding expenditure authority within the capital projects. The Budget indicated that the CBDP Department would develop a cross charge methodology based on the actual work performed and have it reviewed and approved by the Office of the Comptroller.

The CBDP Department has worked with the Office of the Comptroller, the Department of Administrative Services (DAS), and the County's Bond Counsel to develop a mechanism and criteria to charge capital projects that would insure compliance with rules that relate to the bonds. The primary rule is that charges will not begin to occur until a signed contract is in place with the vendors in which CBDPs are providing

their services. Other criteria relating to the type of job functions that are allowed to be cross charged have also been put in place. The Office of the Comptroller has put the appropriate mechanisms in place in the County's financial systems so that CBDPs can track these activities by project and job function.

Financing for the CBDP expenses are being provided from existing expenditure authority within 2013 capital projects. Although the amounts reallocated within the individual projects are a small portion of the overall project budgets, using existing expenditure authority may result in the need for additional appropriations.

This fund transfer has no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
2) <u>WO517012 War Memorial Renovations #</u>		
8501 – Building/Structures New- (CAP)		\$20,000
8509 – Other Building Improvement- (CAP)	\$20,000	

Existing Project, + Included in 5-Year Plan, * New Project

An appropriation transfer of \$20,000 is requested by the Director of the Department of Administrative Services to utilize existing expenditure authority to expand the scope of Project WO517012 War Memorial Renovations to include the replacement of the Bird Cage roof. This appropriation transfer will also change the timing of various other elements of the scope of work on the project.

Background

The 2013 Adopted Budget included \$2,000,200 to renovate the War Memorial including the replacement of the concrete in the Veterans Courtyard, south stairs at the Veteran's Courtyard south entrance; repair of the concrete on the south canopy, interior columns and delamination of roof slabs; engineering and initial planning to replace the HVAC system for the Kahler Building and engineering costs associated with these improvements. The 2013 appropriation represents the first year of a five year plan to renovate the War Memorial Facility. The total estimated cost for the improvement program is \$11,797,359, with

\$10,000,000 in financing from Milwaukee County (the “County”) and the remainder in financing from the Milwaukee Art Museum (MAM).

Scope Change for the 2013 Appropriation

The exterior work on the War Memorial Center and the MAM building envelope consists of various repair work to the stone, concrete, stairs and concrete deck waterproofing. There are multiple areas throughout the complex that need attention. The 2013 scope of work currently includes replacement of the concrete deck in the Veteran’s Courtyard and the concrete at the south stairs. However, removal of the deck, stairs and waterproofing requires the relocation of a substantial amount of artwork. The MAM requires additional time to build a storage space with environmental controls in another part of the museum. This area will not be ready for the artwork until mid-2014.

This fund transfer modifies the scope of work that relates to the concrete repairs in the 2013 Adopted Budget. The replacement of the concrete deck in the Veteran’s Courtyard and the concrete at the south stairs will be shifted to 2014 when the artwork has been stored and protected. The estimated cost associated with the work being shifted to 2014 is \$1 million. The revised scope of work for 2013 will continue with the exterior envelope by accelerating masonry replacement, tuckpointing, crack repairs, window replacement and sealing of joints. Other than the Veteran’s Courtyard concrete deck and the south stairs, the remaining miscellaneous concrete repairs and HVAC design effort currently in the 2013 scope of work will remain in 2013. The revised scope of work will not require artwork relocation and can be completed in 2013. Rescheduling this work has been coordinated with the War Memorial and MAM. There is no change in the 2013 budget as a result of the proposed timing changes of the scope of work that are discussed above. Pending approval by the County Board and County Executive, the balance of the available 2013 funds may be carried over for improvements within the project in 2014.

Insurance Claim

In December 2012, Risk Management filed a property insurance claim with the Local Government Property Insurance Fund for damage that occurred to the roof of the Bird Cage. The damage to the roof was a result of a glacial effect of winter weather ice dam damaging the metal roof seams allowing water to infiltrate the internal stairway areas.

The gross expenses for the replacement of the roof are approximately \$70,000. The County has a \$20,000 deductible. This appropriation transfer will change the scope of the War Memorial Renovation project to include the replacement of Bird Cage roof in 2013 and will realign the expenditure authority within the project to pay the \$20,000 deductible. The \$20,000 may need to be replaced through a future appropriation.

This fund transfer has no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

Action Required
 Finance, Personnel and Audit Committee
 County Board (Majority 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 2013 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) <u>9000 – Parks</u>		
0872 - Wehr Nature Center Trust Fund	\$10,000	
6620 - Repair/Maintenance Grounds		\$10,000

An appropriation transfer of \$10,000 is requested by the Interim Director of Parks, Recreation and Culture to improve and upgrade the nature center and grounds. The Wehr Nature Center Trust Fund is a segregated fund dedicated solely to improvements at the Wehr Nature Center.

All unspent funds at the end of the fiscal year will revert back to the balance sheet trust account.

If the transfer is approved, the remaining trust fund balance will be \$6,542. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
2) <u>9000 – Parks</u>		
0876 - Bike Trail Trust Fund	\$25,000	
7935 - Law Enforcement and Public Safety Supplies		\$12,500

6620 - Repair/Maintenance Grounds

\$12,500

An appropriation transfer of \$25,000 is requested by the Interim Director of Parks, Recreation and Culture to fund the purchase of supplies that will be used to maintain and repair bike trails throughout the parks system. This includes asphalt and tar for repairs, paint for bike trail markings, signage for public safety and marketing activities. The funds will be provided from the established trust fund that is dedicated to servicing all needs related to bike trail maintenance.

All unspent funds at the end of the fiscal year will revert back to the balance sheet trust account.

If the transfer is approved, the remaining trust fund balance will be \$22,553. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
3) <u>9000 – Parks</u>		
0885 - Friends of Boerner Trust Fund	\$10,000	
8610 - Repair/Maintenance Buildings Structures		\$5,000
7100 - Building & Roadway Materials		\$5,000

An appropriation transfer of \$10,000 is requested by the Interim Director of Parks, Recreation and Culture to maintain and upgrade the Visitor Center at Boerner Botanical Gardens. The Friends of Boerner Trust Fund is a segregated fund used solely for improvements at Boerner Botanical Gardens

All unspent funds at the end of the fiscal year will revert back to the balance sheet trust account.

If the transfer is approved, the remaining trust fund balance will be \$4,712. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

<u>From</u>	<u>To</u>
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4) 9000 – Parks

0880	-	Tree Replacement Trust Fund	\$25,000	
7015	-	Seeds and Plants		\$15,000
7970	-	Tools & Minor Equipment		\$10,000

An appropriation transfer of \$25,000 is requested by the Interim Director of Parks, Recreation and Culture to meet various tree maintenance and replacement needs through the system. The Tree Replacement Trust Fund is a segregated fund used solely for trees and tree-related improvements through the County Parks. Parks requires replacement trees at the nursery and equipment to maintain existing trees throughout the system to ensure public safety and health of the trees.

All unspent funds at the end of the fiscal year will revert back to the balance sheet trust account.

If the transfer is approved, the remaining trust fund balance will be \$233,780. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

		<u>From</u>	<u>To</u>
5) <u>9000 – Parks</u>			
0877	-	Playgrounds Trust Fund	\$75,000
7145	-	Sand	\$5,000
7980	-	Repair Parts – Non-Motor Vehicle	\$70,000

An appropriation transfer of \$75,000 is requested by the Interim Director of Parks, Recreation and Culture to meet various maintenance and replacement needs of playgrounds within the County Park System. The Playgrounds Trust Fund is a segregated fund used solely for improvements to playgrounds in the County Parks. Parks staff inspects all playgrounds on a regular basis to ensure public safety. Items such as safety surfaces, equipment replacement, and parts are needed to maintain compliance with national safety standards.

All unspent funds at the end of the fiscal year will revert back to the balance sheet trust account.

If the transfer is approved, the remaining trust fund balance will be \$143,858. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
6) <u>9000 – Parks</u>		
0888 - Parks Security Trust Fund	\$25,000	
7935 - Law Enforcement and Public Safety Supplies		\$25,000

An appropriation transfer of \$25,000 is requested by the Interim Director of Parks, Recreation and Culture from the Parks Security Trust Fund to meet various security needs within the County Park System. The Parks Security Trust Fund is a segregated fund used solely for improvements to items related to cash and personal security.

The Department of Parks, Recreation and Culture routinely evaluates security within various park facilities with cash handling operations to ensure staff safety and secure revenue. Items such as safes, signage, and electronic security tools are needed. In addition, a recent Point of Sale (POS) audit recommended transitioning from combination/key safes to electronic key pad safes.

Any unspent funds will revert back to the balance sheet trust account at the end of the year.

If the transfer is approved, the remaining trust fund balance will be \$31,364. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
7) <u>9000 – Parks</u>		
0892 - MMSD Ecological Trust Fund	\$50,000	

7018	- Other Agriculture Botanical Supplies	\$25,000
6620	- Repair/Maintenance Grounds	\$25,000

An appropriation transfer of \$50,000 is requested by the Interim Director of Parks, Recreation and Culture to upgrade and maintain the prairie habitat on the County Grounds located west of the Parks Administration building. The Metropolitan Milwaukee Sewerage District (MMSD) Ecological Trust Fund contains segregated funds originally from the UWM land sale for the purpose of maintaining natural habitats.

All unspent funds at the end of the fiscal year will revert back to the balance sheet trust account.

If the transfer is approved, the remaining trust fund balance will be \$104,526. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

		<u>From</u>	<u>To</u>
8)	<u>9000 – Parks</u>		
	0875 - Soccer Association Trust Fund	\$5,000	
	7940 - Phy Trng, OT & Rec Supplies		\$5,000

An appropriation transfer of \$5,000 is requested by the Interim Director of Parks, Recreation and Culture to purchase soccer field related items for use within the County Park System. The Soccer Association Trust Fund contains segregated funds used solely for improvements to County soccer fields.

The Department of Parks, Recreation and Culture provides public spaces for outdoor soccer throughout the County Park System. The requested funds will be used to purchase items such as soccer nets and goal anchors to provide recreational opportunities and to ensure public safety.

All unspent funds at the end of the fiscal year will revert back to the balance sheet trust account.

If the transfer is approved, the remaining trust fund balance will be \$0.23. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
9) <u>9000 – Parks</u>		
0867 - Voight Trial Garden Trust Fund	\$20,000	
7935 - Other Agriculture Botany Supplies		\$10,000
6620 - Repair/Maintenance Grounds		\$10,000

An appropriation transfer of \$20,000 is requested by the Interim Director of Parks, Recreation and Culture to make various repairs and improvements to the Voight Trial Garden. The funds will be provided from the established trust fund that is dedicated to servicing all needs related to Voight Trial Garden.

All unspent funds at the end of the fiscal year will revert back to the balance sheet trust account.

If the transfer is approved, the remaining trust fund balance will be \$42,338. There is no tax levy effect as a result of this action.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

Action Required

Finance, Personnel and Audit Committee

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 2013 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) <u>370 – Office of the Comptroller</u>		
6050 – Contract Pers Svcs - Short		\$22,000
5199 – Salaries and Wages	\$20,437	
5312 – Social Security	\$1,563	

Request

An appropriation transfer of \$22,000 is requested by the Office of the Comptroller to increase expenditure authority in the contractual services series and decrease expenditure authority in the personal services series. The appropriation transfer request provides for temporary staffing assistance.

The Office of the Comptroller has a position of Secretary NR that serves as the executive assistant to the comptroller. This position is filled, but the incumbent has been out on leave since mid-2012. This position is critical to maintaining the comptroller’s calendar and providing ongoing clerical and administrative support. This fund transfer will allow the comptroller to employ temporary staffing to assist in these duties until the end of the year. Therefore, the Office of the Comptroller is requesting to realign expenditure authority in the amount of \$22,000 from Salaries and Social Security to Contract Services – Short Term to ensure that sufficient funds are available to cover expected costs for temporary staffing.

No tax levy impact results from approval of this appropriation transfer request as the increase in contractual services is completely offset by a decrease in the personal services series.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 17, 2013.

	<u>From</u>	<u>To</u>
2) <u>4300 – House of Correction</u>		
6109 – Medical Service Fees		\$2,150,882.29
<u>4300 – House of Correction</u>		
5199 – Salaries – Wages Budget	\$1,351,223.83	
5312 – Social Security Taxes	\$ 89,758.46	
5420 – Employee Health Care	\$ 423,977.00	
5421 – Employee Pension	\$ 285,923.00	

Request

A transfer in the amount of \$2,150,882.29 is being requested by the House of Correction to increase appropriations relating to Medical Service Fees.

In May of 2013, Milwaukee County was ordered to enter into an emergency contract with Amor for provision of inmate medical. Judge Brash mandated that the County enter into this contract in order to maintain compliance with the Christensen Decree.

The contract with Armor is an unbudgeted expense in the 2013 budget; therefore, it is necessary to allocate funding from various accounts in order to provide funding for this contract.

Part of the contract with Armor provides that Amor will supplement current County inmate medical staff, low org. units 4391 and 4392; with Armor staff in order to provide the proper inmate medical staffing levels at both the House of Correction (CCFS) and County Jail (CCFC), as dictated by the Christensen Decree.

The majority of the positions which Armor will be staffing are currently vacant funded positions at the House of Correction, thus, the funds related to these positions will not be expended this year.

Subsequently, it is the intent of this fund transfer to use funds from the Personal Services accounts (detailed above) related to these positions in order to fund, in part, the Armor contract through the end of 2013. The total cost of the contract for 2013 is estimated to be \$4,866,505.02; however, this number may change due to monthly payments to Armor being dependent on inmate population. It is anticipated that future fund transfers will occur to cover the costs of the contract through the end of the year. The timing of these transfers is dependent on Armor's assessment and takeover of current contracts related to inmate medical for whom the County has encumbered funds for 2013. Further, it is expected that some funds will have to be transferred from the contingency fund to cover the full costs of the Armor contract.

There is no tax levy impact from this transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE MAY 22, 2013.

2013 BUDGETED CONTINGENCY APPROPRIATION SUMMARY

2013 Budgeted Contingency Appropriation Budget \$4,103,329

Approved Transfers from Budget through May 24, 2013

4000 - Equipment rental for EMU	\$ 57,500
4300 - Equipment rental for EMU	\$ 600,000
1130 - Misc. legal fees related to MPM lease	\$ (100,000)

Contingency Balance May 24, 2013	<u>\$4,660,829</u>
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Transfers Pending in Finance, Personnel & Audit Committee through May 24, 2013	\$ -
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4300 - Equipment Rental for EMU	\$ (657,500)
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Total Transfers Pending in Finance, Personnel & Audit Committee	<u>\$ (657,500)</u>
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Net Balance	<u>\$ 4,003,329</u>
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(ITEM 6) From the Comptroller, requesting authorization to extend the Standby Reimbursement Agreement with US Bank for a period of one year to August 5, 2014, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Midwest Airlines, Inc. ("Midwest") and Skyway Airlines, Inc. d/b/a Midwest Connect ("Midwest Connect") (collectively, "Midwest Airlines") is now doing business as Frontier Airlines ("Frontier") and Republic Airways; and

WHEREAS, the Standby Reimbursement Agreement is due to expire on August 15, 2013, and must be extended or the outstanding bonds will be called due against the Letters of Credit, with the County becoming responsible for the guaranteed payment under the Letter of Credit; and

WHEREAS, the City of Milwaukee, Wisconsin, issued its \$8,300,000 City of Milwaukee, Wisconsin, Variable Rate Demand Industrial Development Revenue Bonds, Series 1998 (Midwest Express Airlines, Inc. Project) (the "1998 Bonds") and its \$7,000,000 City of Milwaukee, Wisconsin, Variable Rate Demand Industrial Development Revenue Bonds, Series 2001 (Skyway Airlines Project) (the "2001 Bonds"); and

WHEREAS, at the respective times of issuance of the 1998 Bonds and the 2001 Bonds, U.S. Bank National Association ("U.S. Bank") issued its irrevocable letters of credit (the "Letters of Credit") in an amount sufficient during their respective terms to pay the principal of and up to 45 days of interest on the 1998 Bonds and 2001 Bonds from time to time outstanding; and

WHEREAS, the Letters of Credit were issued pursuant to agreements (collectively, as amended, the "Credit Facility") pursuant to which U.S. Bank has agreed, subject to the terms and conditions contained therein to extend certain credit to Midwest Airlines, including the credit extended through the issuance of the Letters of Credit; and

WHEREAS, in 2003, the County was requested to provide credit assistance to Midwest Airlines in order to provide additional credit capacity to Midwest Airlines by guaranteeing payment of amounts required to be paid by the Letters of Credit; and

WHEREAS, pursuant to Resolution 03-265(a)(a) adopted by the County Board of Supervisors (the "Board") on July 24, 2003, the Board approved the provision of credit relief to Midwest Airlines with respect to the 1998 and 2001 Bonds; and

43 WHEREAS, the County entered into a Credit Assistance Agreement, Standby
44 Reimbursement Agreement, and other documents to secure the County's credit position;
45 and

46
47 WHEREAS, the County agreed to enter into the Standby Reimbursement Agreement
48 with U.S. Bank and provide credit support with respect to Midwest Airlines obligations
49 under the 1998 and 2001 Bond agreements in order that Midwest Airlines could obtain
50 additional credit from lenders; and

51
52 WHEREAS, the original Standby Reimbursement Agreement had a termination date
53 of August 15, 2008; and

54
55 WHEREAS, an extension of one year was granted for the Standby Reimbursement
56 Agreement and the new termination date was August 15, 2009, for the Standby
57 Reimbursement Agreement; and

58
59 WHEREAS, a second extension was granted on August 15, 2010, for a new
60 termination date of August 15, 2012, for the Standby Reimbursement Agreement; and

61
62 WHEREAS, a third extension was granted on August 15, 2012, for a new
63 termination date of August 15, 2013, for the Standby Reimbursement Agreement; and

64
65 WHEREAS, an extension requires the approval of the County Executive and County
66 Board, and an extension of one year is being requested to the Standby Reimbursement
67 Agreement; now, therefore,

68
69 BE IT RESOLVED, that the Comptroller shall extend the Standby Reimbursement
70 Agreement with U.S. Bank from the current termination date of August 15, 2013, for a
71 period of one year, to August 15, 2014; and

72
73 BE IT FURTHER RESOLVED, that the Comptroller shall execute an application to
74 amend the Standby Reimbursement Agreement similar in format to that attached hereto.

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77 jmj
78 06/04/13
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 05/23/2013

Original Fiscal Note x

Substitute Fiscal Note

SUBJECT: Extension of the Standby Reimbursement Agreement with U.S. Bank

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		
	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. The Comptroller is requesting to extend the Standby Reimbursement Agreement with US bank for a period of one year. The Standby Reimbursement Agreement is part of the Credit Assistance that Milwaukee County provided to Midwest Airlines in 2003. The Standby Reimbursement Agreement provides a guarantee that the County will pay for the costs of any call on a letter of credit that is used to guarantee two debt issues that were used to construct hangars at Mitchell Airport. Currently, Frontier Airlines acquired Midwest Airlines, and is holding Midwest Airlines in name only, and is paying for the debt issue costs and letter of credit costs. The Standby Reimbursement Agreement needs to be extended or the debt will be called upon the termination of the Standby Reimbursement Agreement. If the debt is called the County will be responsible for the payment on the debt. The County can attempt to recoup funds from Midwest Airlines or Frontier Airlines, but is mainly looking to its interest in two hangars at the Airport, and a trust fund.
- B. There are no costs as long as the letter of credit and Standby Reimbursement Agreement remain in force. Costs could be incurred if Midwest Airlines becomes unable to pay the debt. The County was provided with collateral to support the debt in case it is responsible for the debt repayment. This includes a mortgage on the two hangars, plus over \$6.1 million of cash in a trust held by Milwaukee County.
- C. No additional costs to current year. The extension of this agreement does not increase or decrease the current fiscal guarantee that the County has in support of the two IRBs. Midwest Express is responsible for all costs of the letter of credit, plus all interest and principle payments on the IRB debt.

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.
CBPacket 062013 Page 75

D. Information was based on conversations with US bank and Frontier Airlines, plus the review of related documents from 2003, when the standby Reimbursement Agreement was approved.

Department/Prepared By Office of the Comptroller

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

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(ITEM 7) From the Comptroller, requesting authorization to reallocate approximately \$5.8 million of Unspent Bonds to selected 2013 Adopted Capital Improvements Projects, adjust the 2013 Corporate Purpose Bond Issue and work with the Treasurer's Office to establish separate accounts for all of the bond issues, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, in April 2013, the Office of the Comptroller included language in the 2012 to 2013 Carryover Report informing policymakers that the County was not in compliance with Internal Revenue Service (IRS) expenditure rules for bonds; and

WHEREAS, the IRS regulations dictate the expenditure of bond proceeds within three years; and

WHEREAS, the IRS regulations limit the rate and types of investments that the County can access for bond proceeds that have not been expended within three years; and

WHEREAS, in the past, the County would use the unspent bonds to pay interest on the individual bonds to the extent that the County had an upcoming debt service payment on those bonds; and

WHEREAS, the majority of the unspent bonds are Build America Bonds (BABs) and can be used to finance capital improvement projects only; and

WHEREAS, although the proceeds have not been expended within three years, according to Chapman and Cutler (the County's Bond Counsel), the IRS expectation is that the County will proceed or demonstrate a consistent pattern of spending to reflect a commitment to implementing the projects; and

WHEREAS, capital projects where the County will not be able to demonstrate this consistent pattern or commitment shall have the bond proceeds reallocated to an existing project or new project that can; and

WHEREAS, there is approximately a \$13.3 million balance of unspent bonds that have not demonstrated a pattern or commitment that the bonds will be spent; and

WHEREAS, two projects represent 92 percent of the total unspent bond proceeds reallocation amount: Behavioral Health Division (BHD) Facility Renovation Project (\$10.5 million) and Estabrook Dam Rehabilitation (\$1.6 million); and

44 WHEREAS, the Office of the Comptroller has identified projects from the 2013
45 Adopted Capital Improvements Budget that total an estimated \$5.8 million that are able to
46 be financed with the previously issued bonds; and
47

48 WHEREAS, reallocation of approximately \$5.8 million will reduce the approved
49 not-to-exceed amount of \$36.1 million in bonding for the 2013 projects; and
50

51 WHEREAS, the remaining estimated \$7.5 million will need to be reallocated to
52 other capital projects; and
53

54 WHEREAS, in July 2013, the Office of the Comptroller will submit a report to the
55 Finance, Personnel and Audit Committee requesting approval to reallocate the remaining
56 unspent bonds to various capital projects that are continuing projects and/or contained in
57 the Five Year Capital Improvements Plan; and
58

59 WHEREAS, approximately \$1.63 million is being transferred from WP063022 –
60 Estabrook Dam Rehabilitation Project; and
61

62 WHEREAS, in an effort to avoid future non-compliance, the Office of the
63 Comptroller will be meeting with departments monthly to discuss the status and update the
64 timetable of the capital projects; now, therefore,
65

66 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes
67 the Comptroller to reallocate approximately \$5.8 million of unspent bonds to finance
68 selected projects from the 2013 Adopted Capital Improvements projects; and
69

70 BE IT FURTHER RESOLVED, the Department of Administrative Services, based on
71 information from the Office of the Comptroller, is directed to process an administrative
72 appropriation transfer that reallocates approximately \$5.8 million of unspent bonds to
73 selected projects from the 2013 Adopted Capital Improvements Budget; and
74

75 BE IT FURTHER RESOLVED, that a not-to-exceed amount of \$1,630,000
76 expenditure authority and general obligation bond revenues shall be established upon
77 passage of this resolution through a Department of Administrative Services only
78 appropriation transfer for project WP063022 – Estabrook Dam Rehabilitation Project; and
79

80 BE IT FURTHER RESOLVED, that the Office of the Comptroller is authorized and
81 directed to submit a reimbursement resolution to the Committee on Finance, Personnel
82 and Audit in July 2013, to establish the County's intent to reimburse itself for expenditures
83 incurred on the Estabrook Dam Rehabilitation Project prior to the issuance of the bonds;
84 and
85

86 BE IT FURTHER RESOLVED, that the Office of the Comptroller shall determine the
87 appropriate time to issue the general obligation bonds to finance the Estabrook Dam
88 Rehabilitation Project based on the funding needs of the project.

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92 06/04/13

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 05/24/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Unspent Bond Proceeds

FISCAL EFFECT:

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|--|--|
| <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 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	\$0	
	Revenue	\$0	
	Net Cost	\$0	See explanation
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. In April 2013, the Office of the Comptroller included language in the 2012 to 2013 Carryover Report informing policymakers that the County was not in compliance with IRS expenditure rules for bonds. At year-end 2012, the estimated total unspent bond balance was \$44,239,151 for 219 capital projects. The Office of the Comptroller and Department of Administrative Services – Fiscal Affairs met with departments to determine the status of the projects and timeline for project completion for each project that was financed with the unspent bond proceeds. The initial \$44 million in unspent bond proceeds has been reduced to \$36.9 million. Approximately \$23.6 million in projects financed with the unspent bond proceeds will be able to be completed in 2013. Of the remaining \$13.3 million, \$5.8 million will be reallocated to finance 2013 adopted capital projects and \$7.5 million will be reallocated to projects in the Five Year Capital Improvements Plan.

In addition, the County is limited in terms of the type of investments of bond proceeds that are beyond the IRS expenditure timeline. The bonds must be yield restricted. In other words, the County cannot invest the unspent bond proceeds in investments having a rate greater than the interest rate on the bonds. The Office of the Comptroller will work with the Treasurer's Office to establish separate accounts for all of the bond issues to insure compliance.

The IRS expectation is that the County will proceed or demonstrate a consistent pattern of spending to reflect a commitment to implementing the projects. Therefore, projects where the County will not be able to demonstrate this consistent pattern or commitment shall have the bond proceeds reallocated to an existing project or new project that can. Since the bonds have to be yield restricted or cannot invest the unspent bond proceeds in investments having a rate greater than the interest rate on the bonds, the Office of the Comptroller will work with the Treasurer's Office to establish separate accounts for all of the bond issues.

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.

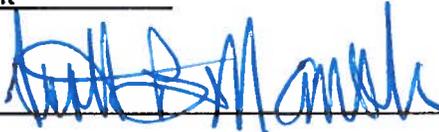
² Community Business Development Partners' review is required on all professional service and public work construction contracts.

- B. Reallocating the \$5.8 million in unspent bond proceeds to finance selected projects in the 2013 Capital Improvements Budget will allow the County to decrease its debt service costs for the 2013 Corporate Purpose Bond Issue.
- C. The estimated debt service costs for the 2013 Corporate Purpose Issue would be reduced by \$11.9 million. This is a result of using \$5.8 million in unspent bond proceeds to finance 2013 Adopted Capital projects. The reduction was utilized by removing the last 4 years from the projected debt service schedule for the 2013 Corporate Purpose Bond Issue. The estimated principal amount would be \$27 million.
- D. In addition, as a part of the analysis for reallocating the unspent bond proceeds, the Office of the Comptroller reviewed the 2013 Adopted Capital Improvements Budget with departments, which decreased the bond amount by an additional \$3 million. This was due to partial funding due to project implementation for 2013 for the War Memorial Renovation project (\$571,341) and the delay of the Estabrook Dam Impoundment Sediment Remediation project (\$1.2 million) and Grounds South Reservoir Rehabilitation project (\$1,219,200).

There are no adjustments to the budgets for these projects. The projects would not be included in the 2013 Corporate Purpose Issue since project implementation for these amounts are anticipated to occur in 2014 for the War Memorial Renovation project and the Estabrook Dam Impoundment Sediment Remediation project. The Grounds South Reservoir Rehabilitation project is delayed until the Water Utility Initiative is addressed. A Memorandum of Understanding between Milwaukee County and the City of Wauwatosa, relating to the Milwaukee County water utilities, has been submitted by the Department of Administrative Services to the Finance, Personnel and Audit Committee for the June cycle.

Excluding these projects from the 2013 Corporate Purpose Bond Issue will allow the County to assist with minimizing future violations of the IRS rules regarding tax-exempt bond proceeds.

Department/Prepared By Pamela Bryant

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

Did CDBP Review?² Yes No Not Required

1 Supervisor Peggy Romo West, Chairperson,
2 From the Committee on Health and Human Needs, reporting on:

File No. 13-515

3
4
5 (ITEM 8) From the Director, Department of Health and Human Services, requesting
6 authorization to increase and extend, from July 1, 2013, through December 31, 2013,
7 Disabilities Services Division 2013 Purchase of Service Contracts for Birth-to-Three
8 providers, by recommending adoption of the following:
9

10 **A RESOLUTION**

11
12 WHEREAS, Section 46.09 of the Milwaukee County Code of General Ordinances
13 requires County Board approval for the purchase of human services from non-
14 governmental vendors; and
15

16 WHEREAS, the Disabilities Services Division (DSD) of the Department of Health
17 and Human Services (DHHS) administers Birth-to-Three Program/Early Intervention services
18 in Milwaukee County to infants and toddlers with developmental delays or disabilities; and
19

20 WHEREAS, insufficient funds and increased demands for Birth-to-Three services, as
21 well as new state requirements, have created considerable challenges to the Birth-to-Three
22 Program; and
23

24 WHEREAS, in early 2012, DSD conducted a thorough review of the agencies'
25 referral patterns, units of service, performance outcomes, and services and has developed a
26 new allocation formula based on these measurements; and
27

28 WHEREAS, in December 2012, the County Board authorized six-month contracts to
29 nine community agencies for 2013 pending the receipt of financial performance data from
30 the agencies during the first several months of 2013; and
31

32 WHEREAS, due to some delays in starting the reporting requirements and
33 adjustments needed to ensure that new data collection is meaningful and accurate, DHHS
34 is recommending base level funding for the remainder of the year in order to review
35 second quarter information; and
36

37 WHEREAS, DHHS will report back to the County Board with recommendations of
38 additional funding allocations after the new agency data has been analyzed; and
39

40 WHEREAS, the contract extensions being recommended by DHHS represent a
41 formidable first step toward performance-based contracting and an effort to maximize
42 available funding; now, therefore,
43

44 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
45 authorizes the Director, Department of Health and Human Services, or his/her designee, to

46 execute amendments to 2013 Purchase of Service Contracts to be extended six months,
 47 from July 1, 2013, through December 31, 2013, with the following Birth-to-Three providers
 48 in the following amounts:
 49

Agency	2013 Contract	2013 Recommended Increase	New 2013 Contract Amount
Center for Communication, Hearing & Deafness	\$40,794	\$40,794	\$81,588
Curative	\$614,923	\$614,923	\$1,229,846
Easter Seals	\$272,701	\$272,701	\$545,401
Lutheran Social Services	\$123,266	\$123,266	\$246,531
Milwaukee Center for Independence	\$194,485	\$194,485	\$388,970
Next Door	\$78,890	\$78,890	\$157,779
Penfield	\$587,799	\$587,799	\$1,175,597
St. Francis	\$229,585	\$229,585	\$459,169
Vision Forward	\$41,360	\$41,360	\$82,719
Total	\$2,183,803	\$2,183,803	\$4,367,600

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 5/24/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Report from the Director, Department of Health and Human Services, requesting authorization to increase and extend 2013 Disabilities Services Division purchase of service contracts for Birth- to-Three agencies

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	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.

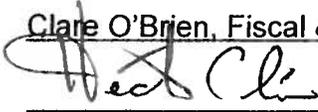
A. The Director of the Department of Health and Human Services (DHHS) is requesting authorization to extend and increase existing purchase of service agreements with a variety of community vendors for the provision of services in the Birth-to-Three Program administered by the DHHS-Disabilities Services Division (DSD).

B. Initial 2013 contracts for the Birth-to-Three Program were executed for the period January 1, 2013 through June 30, 2013 in a total amount of \$2,183,803. This request extends the existing contracts for the period of July 1, 2013 through December 31, 2013. Approval of this request will result in additional expenditures of \$2,183,803 for calendar year 2013 for a total allocation of \$4,367,606.

C. The expenditure authority necessary to fund this request has been included in DSD's 2013 Adopted Budget for purchase of service contracts within low org 8383 – Birth-to-Three. 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, Fiscal & Management Analyst

Authorized Signature 

- Did DAS-Fiscal Staff Review? Yes No
- Did CDPB Staff Review? Yes No Not Required

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 9) From the Director, Department of Health and Human Services, requesting authorization to accept grant revenue totaling \$47,000 from the Wisconsin Office of Justice Assistance to implement juvenile justice system reform activities and to enter into a Purchase of Service Contract with Wisconsin Community Services for an Alternative Sanction Program 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, the Director of the Department of Health and Human Services (DHHS) is requesting authorization to accept grant revenue totaling \$47,000 from the Wisconsin Office of Justice Assistance to implement juvenile justice system reform activities associated with the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI); and

WHEREAS, the Director of DHHS is further requesting authorization to enter into a Purchase of Service Contract with Wisconsin Community Services for an Alternative Sanction Program within the Delinquency and Court Services Division (DCSD) for the period July 1, 2013, through December 31, 2013, at a cost of \$40,000; and

WHEREAS, Wisconsin Community Services development and implementation of the Alternative Sanction Program will allow DCSD to provide youth who violate the conditions of their probation an appropriate and timely response that holds them accountable relative to their violations and engages them in positive and constructive programming; and

WHEREAS, the remaining grant funds will be used to develop additional alternatives to detention, including the use of Global Positioning Systems (GPS) as a monitoring enhancement tool; and

WHEREAS, there is no tax levy impact associated with approval of this request as expenditures will not exceed the available grant revenue; 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 (DHHS), or his/her designee, to accept grant revenue totaling \$47,000 from the Wisconsin Office of Justice Assistance to implement juvenile justice system reform activities associated with the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI); and

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BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors does hereby authorize and direct the Director of DHHS, or his/her designee, to enter into a 2013 Purchase of Service Contract totaling \$40,000 with Wisconsin Community Services for development of an Alternative Sanction Program for the period July 1, 2013, through December 31, 2013.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 5/24/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Report from the Director, Department of Health and Human Services, requesting authorization to accept grant revenue totaling \$47,000 from the Wisconsin Office of Justice Assistance and to enter into a Purchase of Service Contract with Wisconsin Community Services for an Alternative Sanction Program within the Delinquency and Court Services Division

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 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	47,000	0
	Revenue	47,000	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.

A. The Director of the Department of Health and Human Services (DHHS) is requesting authorization to accept grant revenue totaling \$47,000 from the Wisconsin Office of Justice Assistance to implement juvenile justice system reform activities associated with the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI), and to enter into a Purchase of Service Contract with Wisconsin Community Services for an Alternative Sanction Program within the Delinquency and Court Services Division for the period July 1, 2013 through December 31, 2013 at a cost of \$40,000.

Wisconsin Community Services' development and implementation of the Alternative Sanction Program will allow DCSD to provide youth who violate the conditions of their probation an appropriate and timely response that holds them accountable relative to their violations and engages them in positive and constructive programming.

The remaining \$7,000 in grant funds will be used to develop additional alternatives to detention, including the use of Global Positioning Systems (GPS) as a monitoring enhancement tool.

- B. Total 2013 expenditures included in this request are \$47,000, which is completely off-set by grant revenue. A fund transfer will be submitted at a later date if necessary.
- C. There is no tax levy impact associated with approval of this request in 2013 as expenditures will not exceed the available grant revenue.
- D. No assumptions are made.

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 Thomas F. Lewandowski, Fiscal & Management Analyst

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CDPB Staff Review? Yes No Not Required

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(ITEM 10) From the Director, Department of Health and Human Services, appointing Kathleen Eilers to the position of Administrator of the Behavioral Health Division, by recommending **DENYING/REJECTING** confirmation of the said appointment.

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(ITEM 11) From the Director, Department of Health and Human Services, requesting authorization to implement the Community Recovery Services (CRS) 1915(i) State Plan Home and Community Based Services Medicaid Benefit Program in Milwaukee County and to expand case management as part of CRS start-up, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in July 2012, the Milwaukee County Board of Supervisors approved adding Milwaukee County to the state plan amendment for the 1937 Medicaid Benchmark Plan for Community Recovery Services (CRS) (File Number 12-575); and

WHEREAS, CRS is a voluntary Medicaid psychosocial rehabilitation benefit entitlement for persons at or below 150% of the federal poverty level with a severe and persistent mental illness, mood disorder, or other psychotic disorder; and

WHEREAS, initial estimates have identified 1,760 Behavioral Health Division (BHD) clients that meet the eligibility criteria for CRS, though not all 1,760 may choose to participate given the voluntary nature of the program; and

WHEREAS, CRS offers the following three core services:

- Community Living Support Services - assists individuals in transitioning from a supervised living situation such as a Community Based Residential Facility or Adult Family Homes to their own home
- Supported Employment Services - assists individuals with managing symptoms and behaviors to acquire and maintain competitive employment
- Use of Peers as Providers - utilizes recovery-based experiences of certified peer specialists to assist others to move towards recovery

; and

WHEREAS, BHD has taken the preliminary steps necessary to administer CRS, including training and providing technical assistance to partner agencies and applying for and receiving funding for infrastructure development for the use of peers as providers; and

WHEREAS, psychosocial rehabilitation benefits are a carve-out benefit from the beneficiary's Medicaid HMO and as such, are County administered and require a 60% federal/40% local (basic county allocation revenue or tax levy) cost sharing; and

45 WHEREAS, BHD is committed to adopting a budget neutral approach with CRS and
46 has been working with the Office of the Comptroller to identify potential options to reduce
47 the County's fiscal exposure such as a risk reserve or contingency fund; and
48

49 WHEREAS, BHD plans to maintain the tax levy dedicated to the following existing
50 funded BHD programs: Community Based Residential Facilities (CBRF), Targeted Case
51 Management (TCM), and Community Support Programs (CSP) at least through the start-up
52 phase so that any revenue generated could be used to establish a risk reserve pending
53 approval by the County Board and County Executive; and
54

55 WHEREAS, adding CRS to the County service array and case management
56 expansion are goals of the Mental Health Redesign and Implementation Task Force; and
57

58 WHEREAS, start-up funds for case management services are needed for CRS and
59 have been included in the \$1,114,290 allocated to specific programs related to the Mental
60 Health Redesign Initiative; and
61

62 WHEREAS, in November 2012, the County Board authorized the Planning Council
63 to serve as a fiscal agent for these funds (File Number 12-709); however, based on the
64 Medicaid requirement that the non-federal share must be public funds and private agencies
65 may not provide the non-federal share for CRS services, BHD is requesting that \$275,000
66 in funds be directed from the Planning Council to BHD; and
67

68 WHEREAS, these case management funds will be placed in the fee-for-service
69 network so that a client can select a provider agency for case management and related CRS
70 services; now, therefore,
71

72 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
73 authorizes the Director, Department of Health and Human Services (DHHS), or his/her
74 designee, to allow the Behavioral Health Division (BHD) to implement the Community
75 Recovery Services (CRS) 1915(i) Program in Milwaukee County and offer this Medicaid
76 recovery benefit to individuals who request to participate in CRS; and
77

78 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
79 hereby authorizes the Director of DHHS, or his/her designee, to allow the Planning
80 Council to release \$275,000 to BHD for case management expansion to ensure that the
81 non-federal share for case management is public funds.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 5/24/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Report from the Director, Department of Health and Human Services, requesting authorization to add the Community Recovery Services (CRS) 1915(i) State Plan Home and Community Based Services Medicaid Benefit in Milwaukee County and to expand case management as part of CRS start-up

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 |
|--|--|

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	819,225	1,869,019
	Revenue	819,225	1,869,019
	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 implement the Community Recovery Services (CRS) 1915(i) State Plan Home and Community Based Services Medicaid Benefit in Milwaukee County. This is an entitlement program for persons at or below 150% of the federal poverty level (FPL) who suffer from a severe and persistent mental illness. In addition, BHD is seeking to expand case management as part of the CRS start-up.

B. BHD estimates that total costs and revenues will be about \$819,225 (including \$275,000 in case management) in 2013. This reflects the enrollment of 96 clients starting July 1, 2013. In 2014, total costs and revenues are anticipated to be \$1,869,019 (including \$275,000 in case management) for 288 clients.

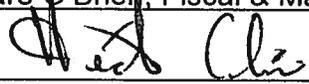
CRS requires a 60% federal/40% local (tax levy or basic county allocation (BCA)) cost sharing. Once the program is successfully billing Medicaid for CRS services, the federal Medicaid revenue is expected to partially offset the county's existing BCA and/or tax levy. BHD is proposing to use this savings to fund a reserve or contingency fund (pending County Board approval) to mitigate any potential financial exposure.

C. The expenditure authority necessary to fund CRS implementation is not included in BHD's 2013 Budget. If CRS revenue is realized in 2013, BHD will submit a fund transfer to adjust its 2013 Budget. The funding for the \$275,000 in case management start up is included in \$1,114,290 under contract with the Planning Council which is serving as fiscal agent. These funds have been allocated to specific programs related to the Mental Health Redesign Initiative and this report seeks to allocate \$275,000 from these funds to the start up.

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.

D. The fiscal estimate assumes clients enrolled are already participating in BHD's Community Based Residential Facility (CBRF), Targeted Case Management (TCM) and/or Community Support Programs (CSP). Given that CRS is an entitlement, clients from outside BHD's network could enroll and thereby, increase the estimated CRS costs. However, this has not been the experience of other Wisconsin counties and communities that have implemented CRS. BHD will oversee funds and activities to ensure that vendors adhere to the performance measures, administration requirements, and oversight currently included in all fee-for-service agreements with the Department of Health and Human Services. It is also the intent of BHD to replenish the \$275,000 in case management funds as CRS savings are realized.

Department/Prepared By Clare O'Brien, Fiscal & Management Analyst

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No
Did CDPB Staff Review? Yes No Not Required

(ITEM 12) From the Director, Department of Health and Human Services, requesting authorization to retroactively increase the Purchase of Service Contracts with various provider agencies in the amount of \$442,500 for reimbursement of Medicaid funds for the provision of community mental health services from January 1 through December 31, 2013, 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 for the Behavioral Health Division (BHD) to increase the Purchase of Service Contracts for Bell Therapy, La Causa, Transitional Living Services (TLS), and Community Advocates related to reimbursement of Medicaid revenues that are paid directly to Milwaukee County; and

WHEREAS, as a pilot project and in preparation for the growth of community services and community service billing, BHD is requesting that funding be added to the Bell Therapy, La Causa, TLS, and Community Advocates contracts to reimburse these agencies for Medicaid revenues that are paid directly to Milwaukee County for services provided for Targeted Case Management (TCM) and the Crisis Resource Centers (CRC); and

WHEREAS, the contract additions are revenue neutral and the agency payments will be based on Title 19 remittance received by BHD minus a 5% administrative fee; and

WHEREAS, vendors have been providing services to clients since the beginning of 2013, but BHD had some timing issues related to getting the system for this billing change in place; and

WHEREAS, BHD is requesting that these contracts be retroactive so that vendors can be reimbursed for revenue received for all services provided in 2013; and

WHEREAS, BHD intends to expand this process to all contracted agencies as part of the 2014 Budget; now, therefore,

BE IT RESOLVED, that the Director of the Department of Health and Human Services, or his/her designee, is authorized to enter into 2013 Purchase of Service Contracts with the following provider agencies for the time period of January 1 through December 31, 2013, in the amounts specified below:

Agency	Service	2013 Additional Contract Amount
Transitional Living Services	CRC Services	\$ 51,000
Community Advocates	CRC Services	\$ 73,000

Agency	Service	2013 Additional Contract Amount
La Causa	TCM Services	\$145,000
La Causa	CLASP	\$ 98,500
Bell Therapy	TCM services	\$ 75,000
TOTAL		\$442,500

54 ; and

56 BE IT FURTHER RESOLVED, that the County Board of Supervisors hereby
57 authorizes payments to these vendors for services rendered prior to County Board
58 approval.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 5/24/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Report from the Director, Department of Health and Human Services, Requesting Authorization for the Behavioral Health Division to Increase the Purchase of Service Contracts with various agencies for \$442,500 for Reimbursement of Medicaid Funds for the Provision of Community Mental Health Services Retroactively for the Time Period of January 1 through December 31, 2013

FISCAL EFFECT:

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| <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 |
|--|--|

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	\$442,500	0
	Revenue	\$442,500	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. Per Section 46.09, the Director of the Department of Health and Human Services (DHHS) is requesting authorization for the Behavioral Health Division (BHD) to add funding to the Bell Therapy, La Causa, Transitional Living Services (TLS) and Community Advocates contracts to reimburse these agencies for Medicaid revenues that are paid directly to Milwaukee County. The requested contract additions total \$442,500 and are retroactive for the time period from January 1, 2013 through December 31, 2013.

B. The contract additions are revenue neutral and the agency payments will be based on T19 remittance received by BHD minus a 5% administrative fee. Based on expected Medicaid revenue for new contracted services, BHD is requesting the following annual contract additions:

• Transitional Living Services	CRC Services	\$51,000
• Community Advocates	CRC Services	\$73,000
• La Causa	TCM Services	\$145,000
• La Causa	CLASP	\$98,500
• Bell Therapy	TCM services	\$75,000

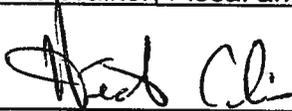
C. There is no tax levy impact associated with this initiative. BHD plans to expand this program in 2014 and that will be reflected in the 2014 contract proposals.

D. The dollar amount is a maximum amount whereas the total payments will be based on the actual received T19 remittance by BHD. No other assumptions are made.

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 Chris Walker, Fiscal and Budget Analyst - DHHS

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No
Did CDPB Staff Review? Yes No Not Required

1 Supervisor Theodore Lipscomb, Sr., Chairperson,
 2 From the Committee on Judiciary, Safety and General Services, reporting on:

3
 4 File No. 13-486
 5

6 (ITEM 13) From the Chief Information Officer, Information Management Services
 7 Division, Department of Administrative Services, requesting authorization to accept
 8 Homeland Security/Gateway Project grant revenue in the amount of \$45,890 and JAG
 9 Recovery Act/Wisconsin Incident Based Reporting grant revenue in the amount of \$12,200
 10 from the Office of Justice Assistance, by recommending adoption of the following:

11
 12 **A RESOLUTION**
 13

14 WHEREAS, in accordance with Section 56.06 of the Milwaukee County Code of
 15 General Ordinances, the Department of Administrative Services – Information
 16 Management Services Division (IMSD) is requesting authorization to accept grant revenue
 17 to develop data interfaces with the Office of Justice Assistance (OJA) systems in support of
 18 information sharing and collaboration among state law enforcement agencies; and

19
 20 WHEREAS, the Milwaukee County Sheriff’s Office (MCSO) applied for OJA state
 21 grants that would provide technology application integration services to support public
 22 safety, statewide information and collaboration services; and

23
 24 WHEREAS, MCSO was awarded two grants which IMSD will administer; and

25
 26 WHEREAS, a grant in the amount of \$45,890 was awarded to Milwaukee County for
 27 equipment and consultant services to develop a County interface into the Wisconsin Justice
 28 Information Sharing (WIJIS) program; and

29
 30 WHEREAS, the County was awarded a grant in the amount of \$12,200 to hire a
 31 consultant to configure an interface that would meet the Wisconsin Incident-Based
 32 Reporting System (WIBRS) criteria; now, therefore,

33
 34 BE IT RESOLVED, the Chief Information Officer of the Department of Administrative
 35 Services – Information Management Services Division is authorized to accept two grants
 36 from the State of Wisconsin Office of Justice Assistance in the amount of \$58,090 (WIJIS:
 37 \$45,890 and WIBRS: \$12,200) to support public safety, statewide information and
 38 collaboration services among state law enforcement agencies.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 5/20/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request for Authorization to accept grant revenue from the Office of Justice Assistance in order to support public safety, state-wide information and collaboration services among state law enforcement agencies.

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	\$58,090	
	Revenue	\$58,090	
	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. Approval of the requested action to accept grant revenue to develop data interfaces with the Office of Justice Assistance (OJA) systems in support of information sharing and collaboration among state law enforcement agencies
 - B. Approval of this request will result in no additional expenditures in 2013 or subsequent years.
 - C. There is no tax levy impact associated with approval of this request.
 - D. No further assumptions are made.

Department/Prepared By Laurie Panella, Deputy Chief Information Officer

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CDBP Review?² Yes No Not Required

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

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(ITEM 14) From Corporation Counsel, recommending payment in the amount of \$25,000 to Matthew J. Harris in settlement of his personal injury claim against Milwaukee County in Case No. 12-CV-6720, by recommending adoption of the following:

A RESOLUTION

WHEREAS, on September 10, 2009, Matthew J. Harris was injured due to a slip and fall incident while an inmate at the Milwaukee County House of Correction (formerly known as the Milwaukee County Correctional Facility-South); and

WHEREAS, as a result of said incident Harris filed a lawsuit in the Circuit Court of Milwaukee County, Case No. 12-CV-6720, against Milwaukee County seeking damages for injuries sustained in the incident of September 10, 2009; and

WHEREAS, Harris claims that he suffered a concussion, skull fracture, headaches, traumatic brain injury, and permanent loss of senses of smell and taste as a result of the incident, and that he incurred medical expenses attributable to the incident in the amount of \$16,842.10; and

WHEREAS, the parties engaged in court-ordered mediation; and

WHEREAS, the tentative settlement agreement provides for a release of all claims against Milwaukee County in return for a payment by the Wisconsin County Mutual Insurance Corporation in the amount of \$25,000 to Harris and his attorneys; and

WHEREAS, the Office of Corporation Counsel recommends this settlement; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors approves the payment by the Wisconsin County Mutual Insurance Corporation of \$25,000 to Matthew J. Harris and his attorneys in exchange for dismissal of his suit and a full and complete release of all claims against Milwaukee County.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: May 17, 2013

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A RESOLUTION to approve a settlement agreement related to personal injury claims by Matthew J. Harris

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact

<input type="checkbox"/> Existing Staff Time Required

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		
	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 County is proposing a settlement to Matthew J. Harris, who was involved in a slip and fall incident while incarcerated in the Milwaukee County House of Correction (formerly known as the Milwaukee County Correctional Facility-South). Adoption of this settlement will result in a payment to Matthew J. Harris and his attorneys of \$25,000.00 by the Wisconsin County Mutual Insurance Corporation.
- B. Approval of this Resolution authorizes a payment of \$25,000.00 to Matthew J. Harris and his attorneys by Wisconsin County Mutual Insurance Corporation. The \$25,000.00 payment will be applied to the County's deductible.

Department/Prepared By Corporation Counsel

Authorized Signature

Did DAS-Fiscal Staff Review? Yes No

Did CDBP Review?² Yes No Not Required

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.
CBPacket 062013 Page 108

1 Supervisor Gerry Broderick, Chairperson,
2 From the Committee on Parks, Energy and Environment, reporting on:

3
4 File No. 13-544

5
6 (ITEM 15) A resolution by Supervisor Borkowski, authorizing the Interim Director of the
7 Department of Parks, Recreation and Culture (DPRC) to manage and operate a temporary
8 Recreational Vehicle (RV) campground site within the Milwaukee County Parks System, by
9 recommending adoption of the following:

10
11 **A RESOLUTION**

12
13 WHEREAS, Milwaukee County strives to encourage and accommodate local forms
14 of recreational activity within its Parks System; and

15
16 WHEREAS, there is very limited availability of campground locations for
17 Recreational Vehicles (RVs) currently in Milwaukee County; and

18
19 WHEREAS, an RV campground could serve as a previously untapped revenue
20 source for Milwaukee County during special events; and

21
22 WHEREAS, the Department of Parks, Recreation and Culture has previous
23 experience in hosting events that have accommodated RVs in County parks; and

24
25 WHEREAS, there are multiple areas within the Parks system that could serve as an
26 ideal location to host a temporary RV campground for the weekend of August 29, 2013,
27 through September 2, 2013, during the 110th Harley-Davidson Anniversary; and

28
29 WHEREAS, any Parks location that is selected would be strictly used for “dry
30 camping” purposes, and therefore would not require any special equipment hookups or
31 unnecessary amenities to be installed; and

32
33 WHEREAS, the revenues generated from the sale of permits to the campground
34 would offset the out-of-pocket costs associated with providing these accommodations to
35 visitors of Milwaukee County; now, therefore,

36
37 BE IT RESOLVED, that the Interim Director of the Department of Parks, Recreation
38 and Culture is authorized and directed to select a location for, manage and operate a
39 temporary Recreational Vehicle campground site within the Milwaukee County Parks
40 System during the last week of August 2013 through September 2, 2013, in order to
41 accommodate the increased tourism needs during the 110th Harley-Davidson Anniversary
42 celebration; and
43

44 BE IT FURTHER RESOLVED, that the temporary campground site will be permitted
45 for "dry camping" purposes only, and will not require any special equipment installations
46 or unnecessary amenities; and

47

48 BE IT FURTHER RESOLVED, that any additional costs associated with the operation
49 of the RV campground will be offset by the revenues generated from the permit sales to the
50 site.

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54 06/17/13

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 5/28/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Authorizing the Interim Director of the Department of Parks, Recreation and Culture to manage and operate a temporary RV campground site within the Milwaukee County Parks System

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	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 have no fiscal impact.

Department/Prepared By Jessica Janz-McKnight, Research Analyst, County Board

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.
CBPacket 062013 Page 112

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(ITEM 16) From the Interim Director, Department of Parks, Recreation and Culture, requesting authorization to enter into a license agreement with the City of Brookfield for operation and maintenance of a portion of the Oak Leaf Trail along Underwood Creek, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 1985, Milwaukee County entered into a 25-year license agreement with the City of Brookfield that allowed the Department of Parks, Recreation and Culture (DPRC) to build approximately 2,300 feet of paved, non-motorized, multiple-use trail on City of Brookfield land along the Underwood Creek as a part of the Oak Leaf Trail System; and

WHEREAS, the DPRC intends to continue to operate and maintain the trail; and

WHEREAS, the proposed agreement has a 25-year term; and

WHEREAS, the Interim Parks Director respectfully recommends that the DPRC be authorized to enter into the new license agreement with the City of Brookfield, allowing it to continue to operate and maintain a multiple-use trail on approximately 2,300 feet of City of Brookfield land along the Underwood Creek; now, therefore,

BE IT RESOLVED, that the Department of Parks, Recreation and Culture is hereby authorized to enter into a new license agreement with the City of Brookfield, allowing it to continue to operate and maintain a multiple-use trail on approximately 2,300 feet of City of Brookfield land along the Underwood Creek.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: May 28, 2013

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: License Agreement with the City of Brookfield to operate and maintain a portion of the Oak Leaf Trail along Underwood Creek

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	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

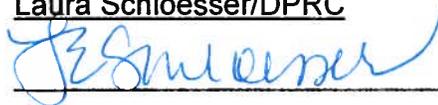
In the space below, you must provide the following information. Attach additional pages if necessary.

- 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.

- A. Request to enter into a license agreement with the City of Brookfield to allow DPRC to operate and maintain a portion of the OLT along Underwood Creek.
- B. None
- C. No Impact
- D. None

Department/Prepared By Laura Schloesser/DPRC

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

CHAIRMAN
 COUNTY BOARD
 2013 MAY 28 PM 3:54

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 Director, Milwaukee County Cooperative Extension, requesting authorization to execute a Professional Services Contract for staffing of Milwaukee County UW Cooperative Extension for the period January 1, 2013, through December 31, 2013, in the amount of \$157,614, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, the Director, Milwaukee County Cooperative Extension, has requested that the Chairman of the Committee on Parks, Energy and Environment, on behalf of Milwaukee County, enter into the annual contract between Milwaukee County and the University of Wisconsin-Extension for the period January 1, 2013, through December 31, 2013; and

WHEREAS, Milwaukee County and the Board of Regents of the University of Wisconsin System contract annually for the delivery of programs supporting Youth, Families, Communities, the Environment and Horticulture in Milwaukee County; and

WHEREAS, Milwaukee County residents have access to greater educational programming as a result of the partnership between Milwaukee County and UW Cooperative Extension; and

WHEREAS, the Director of Milwaukee County Cooperative Extension has prepared and presented a contract for the period commencing January 1, 2013, through December 31, 2013, for execution to the Chairman of the Committee on Parks, Energy and Environment; and

WHEREAS, funding for this contract is included in the 2013 Milwaukee County Adopted Operating Budget for Milwaukee County Cooperative Extension; and

WHEREAS, the contract has been approved by the Milwaukee County offices of Risk Management and Community Business Development Partners; now, therefore,

BE IT RESOLVED, that the Chairman of the Committee on Parks, Energy and Environment is hereby authorized and directed, on behalf of Milwaukee County, to execute the contract between Milwaukee County and the University of Wisconsin-Extension, for delivery of programs relating to Youth, Families, Communities, the Environment and Horticulture for the period commencing January 1, 2013, through December 31, 2013, for which Milwaukee County will pay the University of Wisconsin-Extension \$157,614 as set forth in the said contract; and

BE IT FURTHER RESOLVED, that the Board authorizes the payment for any services rendered prior to County Board approval.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: May 31, 2013

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: REQUEST FOR AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR STAFFING OF MILWAUKEE COUNTY COOPERATIVE EXTENSION

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	157,614	
	Revenue	157,614	
	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 resolution authorizing the Chairman of the Parks, Energy and Environment Committee to execute a professional services contract with the University of Wisconsin-Extension for the period January 1, 2013 through December 31, 2013, for \$157,614. This contract is based on the contracts from previous years; there are no substantive changes.

B. Milwaukee County and the University of Wisconsin-Extension enter into a contract annually to provide professional staffing of the Milwaukee County Cooperative Extension office in the areas of Family Development, Youth Development, Horticulture and Community and Leadership Development. Within these agreements, the County provides for 40% of faculty and academic staff salary and fringe benefits. Funding for travel reimbursement, a limited amount of hourly staffing and miscellaneous expenses is also provided by the county through this contract. In return, the University provides funding for 60% of faculty and fringe benefits. The county's funding for this contract is provided in the 2013 adopted county budget for Cooperative Extension.

C. Approval of this resolution will result in the expenditure of \$157,614 of funding as appropriated in the adopted 2013 Milwaukee County Budget for Cooperative Extension.

D. No assumptions or interpretations were used.

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.
CBPacket 062013 Page 119

Department/Prepared By Ramona Zeb, Executive Assistant-UW-Extension

Eloisa Gómez

Authorized Signature

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

1 Supervisor Michael Mayo, Sr., Chairperson,
2 By the Committee on Transportation, Public Works, and Transit, reporting on:

3
4
5

File No. 13-500

6 (ITEM ¹⁸) A resolution to **RECEIVE AND PLACE ON FILE** (vote 6-0) an
7 informational report from the Director of Department of Transportation, dated May 14,
8 2013, regarding diamond grinding of concrete pavement within the travel lanes of East
9 Layton Avenue, from South Howell to I-794 just South of Pennsylvania Avenue.

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1 Supervisor Michael Mayo, Sr., Chairperson,
2 From the Committee on Transportation, Public Works, and Transit, reporting on:

3
4 File No. 13-502

5
6 (ITEM 19) From the Director, Department of Transportation, requesting
7 authorization to amend agreements between Milwaukee County and Southwest Airlines
8 Co. and to terminate agreements between Milwaukee County and AirTran Airways, Inc.,
9 due to the integration of Southwest Airlines Co. and AirTran Airways, Inc., by
10 recommending adoption of the following:

11
12 **A RESOLUTION**

13
14 WHEREAS, on December 22, 2010, Milwaukee County executed an Airline-
15 Airport Use and Lease Agreement with AirTran Airways, Inc. (AirTran); and

16
17 WHEREAS, on December 5, 2003, Milwaukee County executed a Hydrant Fuel
18 System Lease Agreement with AirTran; and

19
20 WHEREAS, on March 24, 2011, Milwaukee County executed an Airline-Airport
21 Use and Lease Agreement with Southwest Airlines Co. (Southwest); and

22
23 WHEREAS, on May 11, 2010, Milwaukee County executed a Hydrant Fuel
24 System Lease Agreement with Southwest; and

25
26 WHEREAS, Southwest closed on the acquisition of AirTran Holdings, Inc., the
27 parent company of AirTran, on May 2, 2011, and operated the two airlines separately in
28 accordance with each respective Air Carrier Certificate issued by the Federal Aviation
29 Administration; and

30
31 WHEREAS, AirTran operated out of eight gates located on Concourse C, while
32 Southwest operated out of two gates located on Concourse D within the terminal
33 building at General Mitchell International Airport; and

34
35 WHEREAS, Southwest developed a plan for integration of the two air carriers
36 and co-located the operations of Southwest and AirTran on Concourse C; and

37
38 WHEREAS, the spaces leased on a signatory basis currently remain under the
39 two Airline-Airport Use and Lease Agreements, as well as under the two Hydrant Fuel
40 System Lease Agreements; and

41
42 WHEREAS, Southwest is ready, willing, and able to assume all obligations of
43 AirTran and has requested that all of the obligations of AirTran be assigned to
44 Southwest's agreements effective July 1, 2013; and

46 WHEREAS, Southwest has further requested the termination of AirTran
47 agreements in order to achieve administrative efficiencies; and

48
49 WHEREAS, Airport staff recommended that the Director, Department of
50 Transportation, and County Clerk be authorized to amend agreements between
51 Milwaukee County and Southwest Airlines Co. and to terminate agreements between
52 Milwaukee County and AirTran Airways, Inc., due to the integration of Southwest
53 Airlines Co. and AirTran Airways, Inc., inclusive of the following:

- 54
55 1. The Airline-Airport Use and Lease Agreement (Airport Agreement No. AC-
56 2082) between Milwaukee County and Southwest Airlines Co. be amended to
57 include all of the obligations contained under the Airline-Airport Use and
58 Lease Agreement (Airport Agreement No. AC-2032) between Milwaukee
59 County and AirTran Airways, Inc., effective July 1, 2013.
60
61 2. Milwaukee County terminate the Airline-Airport Use and Lease Agreement
62 (Airport Agreement No. AC-2032) between Milwaukee County and AirTran
63 Airways, Inc., effective July 1, 2013.
64
65 3. The Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-
66 2014) between Milwaukee County and Southwest Airlines Co. be amended to
67 include all of the obligations provisions under the Hydrant Fuel System Lease
68 Agreement (Airport Agreement No. AC-1389) between Milwaukee County and
69 AirTran Airways, Inc., effective July 1, 2013.
70
71 4. Milwaukee County terminate the Hydrant Fuel System Lease Agreement
72 (Airport Agreement No. AC-1389) between Milwaukee County and AirTran
73 Airways, Inc., effective July 1, 2013.

74
75 ; now, therefore,

76
77 BE IT RESOLVED, the Director, Department of Transportation, and County Clerk
78 are hereby authorized to amend agreements between Milwaukee County and
79 Southwest Airlines Co. and to terminate agreements between Milwaukee County and
80 AirTran Airways, Inc., due to the integration of Southwest Airlines Co. and AirTran
81 Airways, Inc., inclusive of the following:

- 82
83 1. The Airline-Airport Use and Lease Agreement (Airport Agreement No. AC-
84 2082) between Milwaukee County and Southwest Airlines Co. be amended to
85 include all of the obligations contained under the Airline-Airport Use and
86 Lease Agreement (Airport Agreement No. AC-2032) between Milwaukee
87 County and AirTran Airways, Inc., effective July 1, 2013.
88
89 2. Milwaukee County terminate the Airline-Airport Use and Lease Agreement
90 (Airport Agreement No. AC-2032) between Milwaukee County and AirTran
91 Airways, Inc., effective July 1, 2013.

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3. The Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-2014) between Milwaukee County and Southwest Airlines Co. be amended to include all of the obligations provisions under the Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-1389) between Milwaukee County and AirTran Airways, Inc., effective July 1, 2013.

4. Milwaukee County terminate the Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-1389) between Milwaukee County and AirTran Airways, Inc., effective July 1, 2013.

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(ITEM 20) From the Director, Department of Transportation, requesting authorization to amend agreements between Milwaukee County and Continental Airlines, Inc., and to terminate agreements between Milwaukee County and SkyWest Airlines, Inc., due to the integration of United Airlines, Inc., and Continental Airlines, Inc., by recommending adoption of the following:

A RESOLUTION

WHEREAS, on January 12, 2011, Milwaukee County entered into an Airline-Airport Use and Lease Agreement with Continental Airlines, Inc. (Continental); and

WHEREAS, on June 19, 1992, Milwaukee County entered into a Hydrant Fuel System Lease Agreement with Continental, which was later assigned to Continental's affiliate, ExpressJet Airlines, Inc.; and

WHEREAS, on January 20, 2011, Milwaukee County entered into an Airline-Airport Use and Lease Agreement with SkyWest Airlines, Inc. (SkyWest), who occupied the leased premises through its operation as United Express; and

WHEREAS, on April 1, 2007, Milwaukee County entered into a Hydrant Fuel System Lease Agreement with SkyWest; and

WHEREAS, United's acquisition of Continental Airlines, Inc., closed on October 1, 2010, and United Continental Holdings, Inc., operated the two airlines separately in accordance with each respective Air Carrier Certificate issued by the Federal Aviation Administration; and

WHEREAS, Continental operated out of one signatory and one non-signatory gate located on Concourse E, while United, through its affiliate SkyWest, operated out of two signatory gates located on Concourse C within the terminal building at General Mitchell International Airport; and

WHEREAS, United developed a plan for integration of the two air carriers and co-located the operations of United, through its affiliate SkyWest, and Continental on Concourse E; and

WHEREAS, the spaces leased on a signatory basis currently remain under the two Airline-Airport Use and Lease Agreements, as well as under the two Hydrant Fuel System Lease Agreements; and

WHEREAS, United is ready, willing, and able to assume all obligations of SkyWest and Continental and has requested that all of the obligations of SkyWest and Continental be assigned to the Continental agreements effective April 1, 2013, and that the Continental lease be assigned to United Airlines, Inc.; and

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WHEREAS, United, through its agreement with SkyWest, has further requested the termination of SkyWest's Airline-Airport Use and Lease Agreement, as well as SkyWest's Hydrant Fuel System Lease Agreement in order to achieve administrative efficiencies; and

WHEREAS, Airport staff recommended that the Director, Department of Transportation, and County Clerk be authorized to amend agreements between Milwaukee County and Continental Airlines, Inc., and to terminate agreements between Milwaukee County and SkyWest Airlines, Inc., due to the integration of United Airlines, Inc., and Continental Airlines, Inc., inclusive of the following:

1. The Airline-Airport Use and Lease Agreement (Airport Agreement No. AC-2034) between Milwaukee County and Continental Airlines, Inc., be amended to include all of the obligations contained under the Airline-Airport Use and Lease Agreement (Airport Agreement No. AC-2060) between Milwaukee County and SkyWest Airlines, Inc., effective April 1, 2013.
2. Milwaukee County terminate the Airline-Airport Use and Lease Agreement (Airport Agreement AC-2060) between Milwaukee County and SkyWest Airlines, Inc., effective April 1, 2013.
3. The Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-1102) between Milwaukee County and Continental Airlines, Inc., as assigned to ExpressJet Airlines, Inc., be amended to include all of the obligations and provisions under the Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-1854) between Milwaukee County and SkyWest Airlines, Inc., effective April 1, 2013.
4. Milwaukee County terminate the Hydrant Fuel System Lease Agreement (Airport Agreement AC-1854) between Milwaukee County and SkyWest Airlines, Inc., effective April 1, 2013.
5. The Airline-Airport Use and Lease Agreement (Airport Agreement No. AC-2034) between Milwaukee County and Continental Airlines, Inc., be assigned to United Airlines, Inc., effective April 1, 2013.
6. The Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-1102) between Milwaukee County and Continental Airlines, Inc., as assigned to ExpressJet Airlines, Inc., be assigned to United Airlines, Inc., effective April 1, 2013.

; now, therefore,

BE IT RESOLVED, that the Director, Department of Transportation, and the County Clerk are hereby authorized to amend agreements between Milwaukee County

93 and Continental Airlines Inc., and to terminate agreements between Milwaukee County
94 and SkyWest Airlines, Inc., due to the integration of United Airlines, Inc., and
95 Continental Airlines, Inc., inclusive of the following:
96

- 97 1. The Airline-Airport Use and Lease Agreement (Airport Agreement No. AC-
98 2034) between Milwaukee County and Continental Airlines, Inc., be amended
99 to include all of the obligations contained under the Airline-Airport Use and
100 Lease Agreement (Airport Agreement No. AC-2060) between Milwaukee
101 County and SkyWest Airlines, Inc., effective April 1, 2013.
102
- 103 2. Milwaukee County terminate the Airline-Airport Use and Lease Agreement
104 (Airport Agreement AC-2060) between Milwaukee County and SkyWest
105 Airlines, Inc., effective April 1, 2013.
106
- 107 3. The Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-
108 1102) between Milwaukee County and Continental Airlines, Inc., as assigned
109 to ExpressJet Airlines, Inc., be amended to include all of the obligations and
110 provisions under the Hydrant Fuel System Lease Agreement (Airport
111 Agreement No. AC-1854) between Milwaukee County and SkyWest Airlines,
112 Inc., effective April 1, 2013.
113
- 114 4. Milwaukee County terminate the Hydrant Fuel System Lease Agreement
115 (Airport Agreement AC-1854) between Milwaukee County and SkyWest
116 Airlines, Inc., effective April 1, 2013.
117
- 118 5. The Airline-Airport Use and Lease Agreement (Airport Agreement No. AC-
119 2034) between Milwaukee County and Continental Airlines, Inc., be assigned
120 to United Airlines, Inc., effective April 1, 2013.
121
- 122 6. The Hydrant Fuel System Lease Agreement (Airport Agreement No. AC-
123 1102) between Milwaukee County and Continental Airlines, Inc., as assigned
124 to ExpressJet Airlines, Inc., be assigned to United Airlines, Inc., effective April
125 1, 2013.
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(ITEM 21) From the Interim Director, Facilities Management Division, Department of Administrative Services, requesting authorization to grant permanent easement to the Ronald McDonald House for the emergency fire access drive, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 2012, Ronald McDonald House (RMH) purchased 3.5 acres of land from Milwaukee County for the expressed purpose of expanding their mission of providing housing for seriously ill children and their families while confined to or visiting area hospitals; and

WHEREAS, the City of Wauwatosa is requiring RMH to construct an emergency access drive to serve the facility; therefore, RMH is requesting a permanent easement from Milwaukee County across County property to construct an emergency fire access drive on the southwest side of their current facility off of 92nd Street; and

WHEREAS, the City of Wauwatosa Fire Department requires that half of the building exterior be accessible to a fire truck to be code compliant, and by widening and expanding Watertown Plank Road, the existing fire access lane will be removed; and

WHEREAS, new access off of 92nd street is required because access off of Watertown Plank Road is no longer feasible due to the after construction grading; and

WHEREAS, the easement area (Exhibit A) is 40 feet wide, 160 feet long, and approximately 6,440 square feet in area; and

WHEREAS, the County has negotiated with RMH to reimburse Milwaukee County \$5,000 for the land; and

WHEREAS, the easement on County land has minimal utility impact and the value negotiated is representative of similar agreements; and

WHEREAS, an easement agreement has been drafted (Exhibit B); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes and directs that the Department of Administrative Services-Facilities Management Division, Corporation Counsel, and Risk Management staff be authorized to negotiate, prepare, review, approve, execute, and record all documents and perform all actions required to grant permanent easement to the Ronald McDonald House for the emergency fire access drive; and

46 BE IT FURTHER RESOLVED, that the County Executive and County Clerk be
47 authorized to execute the easement and required documents.
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(ITEM 22) From the Interim Director, Facilities Management Division, Department of Administrative Services, requesting authorization to enter into an operating lease agreement with Interstate Parking, LLC, for the lease, operations, improvement, and maintenance of the County-owned parking lot located at 601 West State Street, Milwaukee, Wisconsin, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Facilities Management and Procurement staff of the Department of Administrative Services solicited a Request for Proposals (RFP) to lease the 1.89 acre County-owned parcel located at the southwest corner of North 6th and West State Streets in the City of Milwaukee; and

WHEREAS, the RFP process enabled County staff to obtain specific information about the vendor and their proposed management of the lot, which included vendor qualifications, compensations to Milwaukee County, property enhancements and maintenance, staffing allocation, and experience; and

WHEREAS, in response to the RFP, one vendor submission was received by Milwaukee County by the required deadline; and

WHEREAS, the submitted proposal from Interstate Parking Company, LLC, includes an annual \$300,000 payment to the County for years 1-3 (initial term) with two (2) twelve month extensions (if mutually agreeable by both parties) that includes an annual \$305,000 payment to the County; and

WHEREAS, property enhancements included improved parking lot lighting, conversion of current arm entry/exit from the lot to two (2) automated pay stations, 24/7 revenue enforcement services, and an efficient cost management approach that deposits receipts (after being audited) directly to Milwaukee County; and

WHEREAS, initial parking lot maintenance improvements include resurfacing the lot with parking stall stripping; and

WHEREAS, the experience of Interstate Parking is well documented in parking lot locations elsewhere here in the Milwaukee area as well as in the Midwest; and

WHEREAS, the current parking lot site serves both Milwaukee Area Technical College and Wisconsin Center District and will continue to do so under this proposed arrangement; now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes and directs the Director of the Department of Administrative Services, Corporation Counsel, and Risk Management to negotiate, prepare, review, approve,

47 execute, and record all documents and perform all actions required to enter into an
48 operating lease with Interstate Parking, LLC, for the lease, operations, improvement,
49 and maintenance of the County-owned parking lot located at 601 West State Street,
50 Milwaukee, Wisconsin.

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(ITEM 23) From the Director of Operations, Department of Administrative Services, requesting authorization to enter into a purchase agreement for the warehouse facility located at 10920 West Lapham Street in West Allis to accommodate Facilities West functions currently located in the Milwaukee Regional Medical Center warehouse on the County Grounds, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Milwaukee County Board of Supervisors, at its meeting of April 25, 2013, approved a Relocation Order for the warehouse building located at 10310 and 10310-A West Watertown Plank Road; and

WHEREAS, the warehouse building is owned by the Milwaukee Regional Medical Center (MRMC), the land is owned by Milwaukee County, and Milwaukee County leases space from MRMC for its Facilities West functions on the County Grounds; and

WHEREAS, in order for Fleet Operations to be fully operable after reconstruction of Swan Boulevard and U.S. 45, the warehouse facility needs to be removed; and

WHEREAS, Milwaukee County worked with MRMC to find a new warehouse facility in which to co-locate existing functions; however, MRMC indicated that it would be pursuing alternative warehouse options on its own; and

WHEREAS, Milwaukee County's Department of Administrative Services (DAS) engaged CBRE, Inc., as its Buyer's Representative to locate a site for Facilities West; and

WHEREAS, in conjunction with Facilities West staff, the Facilities Maintenance Manager evaluated the three remaining sites and selected a warehouse located at 10920 West Lapham Street in West Allis; and

WHEREAS, the Lapham property is in excess of 50,000 square feet, which provides more space than the County currently rents from MRMC; and

WHEREAS, DAS - Facilities Management staff from the Architectural, Engineering, and Environmental Services Division is performing environmental and structural due diligence on the building; and

WHEREAS, structurally, the building is sound and is suitable for Facilities West's needs, and DAS is in the process of requesting a Phase II environmental investigation of the site from the current owner; and

46 WHEREAS, the Lapham property was listed for \$2.3 million; however, the owner
47 has agreed to sell it to Milwaukee County for \$2 million and subsequently, DAS
48 executed an Option to Purchase with the Seller for the purpose of furthering
49 environmental due diligence on the property and securing the property while DAS seeks
50 approval from the County Board and County Executive to purchase the property; and
51

52 WHEREAS, proceeds from the Fleet Agreement already approved by the County
53 Board and Wisconsin Department of Transportation will be used to purchase the
54 Lapham property, pay for moving costs, and costs associated with adaption of the new
55 building to accommodate Facilities West's needs; now, therefore,
56

57 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby
58 authorizes and directs the Director of the Department of Administrative Services,
59 Corporation Counsel, and Risk Management to negotiate, prepare, review, approve,
60 execute, and record all documents and perform all actions required to enter into
61 authorization to a purchase agreement for the warehouse facility located at 10920 West
62 Lapham Street in West Allis to accommodate Facilities West functions currently located
63 in the Milwaukee Regional Medical Center warehouse on the County Grounds.
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(ITEM 24) From the Director, Department of Transportation, requesting authorization to re-designate the existing section of US 41, beginning at the Stadium Interchange at I-94 following northwest along West Lisbon and West Appleton Avenues, from US 45 to WIS 175 with no costs to be incurred by Milwaukee County, by recommending adoption of the following:

A RESOLUTION

WHEREAS, as part of the US 41 Interstate conversion, the American Association of State Highway and Transportation Officials has conditionally approved the relocation of US 41 to follow I-894 and US 45 in order to have US 41 be concurrent with the proposed I-41 route; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT) is proposing to re-designate the existing section of US 41 beginning at the Stadium Interchange at I-94 following northwest along West Lisbon and West Appleton Avenues to US 45 as WIS 175; and

WHEREAS, in accordance with Wisconsin State Statute 84.02(3), "it is necessary to have approval by the county board of each county in which part of the proposed change is situated when the change is more than 2.5 miles of the system;" and

WHEREAS, the Milwaukee County Department of Public Works has reviewed the three re-designations considered, WIS 241, WIS 341 and WIS 175 as contained in WisDOT's letter dated December 12, 2012, of which a copy is attached to this file; and

WHEREAS, the Milwaukee County Department of Public Works concurs with the recommended re-designation to WIS 175; now, therefore,

BE IT RESOLVED, that the County Board of Supervisors does hereby approve re-designating the existing section of US 41 beginning at the Stadium Interchange at I-94 following northwest along West Lisbon and West Appleton Avenues to US 45 as WIS 175 with no costs to be incurred by Milwaukee County for this re-designation.

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1 Supervisor Patricia Jursik, Chairperson,
2 By the Committee on Economic and Community Development, reporting on:

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4

File No. 13-7

5

6 (ITEM 25) A resolution to **RECEIVE AND PLACE ON FILE** (vote 5-0) an informational
7 monthly report from the Director of County Economic Development, Department of
8 Administrative Services, regarding the Status of Excess Property Sales.

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(ITEM 26) A resolution to **RECEIVE AND PLACE ON FILE** (vote 5-0) an informational monthly report from the Director of County Economic Development, Department of Administrative Services, regarding the Status of Negotiations with Barrett Visionary Development.

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1 Supervisor Patricia Jursik, Chairperson,
2 From the Committee on Economic and Community Development, reporting on:

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4 File No. 13-439
5

6 (ITEM 27) From the Director of County Economic Development, Department of
7 Administrative Services, requesting authorization to enter into a Second Amendment to the
8 Development Agreement with UWM Innovation Park, LLC and UWM Real Estate
9 Foundation, Inc. to provide for the development of an extended stay hotel at Innovation
10 Park, by recommending adoption of the following:

11
12 **A RESOLUTION**
13

14 WHEREAS, Milwaukee County (the "County") and UWM Innovation Park, LLC, and
15 UWM Real Estate Foundation, Inc. (together "Developer"), are parties to a Development
16 Agreement dated February 15, 2011 (the "Agreement"), wherein the parties set forth certain
17 terms and conditions under which certain property purchased by the Developer from the
18 County may be developed; and

19
20 WHEREAS, the Agreement was previously amended on December 21, 2011, to
21 provide for the Industry Accelerator Facility; and

22
23 WHEREAS, the Developer is now requesting of the County that the Agreement
24 again be amended to provide for a narrow and limited expansion of the uses permitted
25 under the Agreement; and

26
27 WHEREAS, this expansion of the permitted uses is the development of an extended
28 stay hotel containing up to 128 rooms and located in the northernmost portion of the
29 northeast corner of Lot 3 of Certified Survey Map No. 8523, within the area north and east
30 of Discovery Parkway, on a site not to exceed 3.5 acres; now, therefore,

31
32 BE IT RESOLVED, that the Director of County Economic Development, Department
33 of Administrative Services, is hereby authorized to enter into a Second Amendment to the
34 Development Agreement between the County and the Developer to provide for the
35 development of an extended stay hotel at Innovation Park, contingent upon review of Risk
36 Management and Corporation Counsel.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 4/24/13

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Second Amendment to Development Agreement for UWM Innovation Park

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.

- A. Approval of the resolution will allow County to enter into a Second Amendment to Development Agreement with UWM Innovation Park, LLC and The UWM Real Estate Foundation, Inc. (together "Developer") regarding the development of an extended stay hotel.
- B. Although there is no immediate costs or savings, if the affected parcel is sold the County would receive 75% of the land sale.
- C. There are no budgetary impacts at this time.
- D. There are no assumptions or interpretations used at this time.

Department/Prepared By Economic Development, Department of Administrative Services

Authorized Signature 
Teiq Whaley-Smith

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

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3 (ITEM 28) From Rainier Properties II, LLC requesting an extension to the option to
4 purchase for the triangular-shaped, .37-acre Block 6E in the Park East Corridor, located
5 between North Water Street, North Edison Street and East Knapp Street in the City of
6 Milwaukee, east of the Milwaukee River, by recommending adoption of the following:

7
8 **A RESOLUTION**
9

10 WHEREAS, Milwaukee County Board Resolution File No. 06-14(a)(a) was adopted
11 on April 13, 2006, accepting a development proposal from MLG Development, the
12 predecessor to Rainier Properties II, LLC ("Rainier") for Block 6E, in the amount of
13 \$676,000, which was \$72,000 above the appraised value; and
14

15 WHEREAS, the approved development, estimated at \$8 million, included a four-
16 story mixed-use building, comprising 8,000 rental square feet of retail on the first floor,
17 approximately 36,000 square feet of rentable office space on the upper three floors and up
18 to 31 underground parking spaces; and
19

20 WHEREAS, Block 6E was marketed as a stand-alone mixed-use development site
21 and the original proposal from Rainier reflected a stand-alone mixed-use development for
22 Block 6E, however the original proposal also presented an assemblage of Block 6E with a
23 riverfront parcel controlled by Rainier across North Edison Street; and
24

25 WHEREAS, Rainier continues to invest professional and monetary resources in the
26 project and is committed to bring the project to a successful completion; and
27

28 WHEREAS, Rainier requested and was granted a six-month extension to their option
29 to purchase for Block 6E until December 30, 2012, with an option to extend for an
30 additional six months, to June 30, 2013; and
31

32 WHEREAS, Rainier is requesting a three month extension to their option to purchase
33 for Block 6E until September 30, 2013; and
34

35 WHEREAS, in addition to the \$65,000 option fees already paid, Rainier agrees to
36 provide copies of all site related due diligence to the County relating to the approved
37 development, including reports pertaining to the adjoining parcels not owned by the
38 County, but not any Phase I, Phase II or similar environmental reports; this includes,
39 without limitation, geo-technical reports, surveys and other supporting documents; and
40

41 WHEREAS, Rainier also pledges to continue providing snow clearing of the
42 sidewalks abutting Block 6E, litter removal and mowing services and providing these
43 services helps reduce County maintenance costs and improves the aesthetics of the
44 surrounding area; now, therefore,
45

46 BE IT RESOLVED, the Director of County Economic Development is hereby
47 authorized to extend the existing option to purchase with Rainier for Block 6E until
48 September 30, 2013.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: May 31, 2013

Original Fiscal Note x

Substitute Fiscal Note

SUBJECT: From Rainier Properties II, LLC requesting an extension to the option to purchase for the triangular-shaped, .37-acre Block 6E in the Park East Corridor, located between North Water Street, North Edison Street and East Knapp Street in the City of Milwaukee, East of the Milwaukee River.

FISCAL EFFECT:

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

Extending the existing option to purchase for Block 6E until September 30, 2013, will not include the payment of an extension fee, but Rainier will continue to provide maintenance services for the County on Block 6E that reduces operating costs for the County. In addition Rainier will provide copies of all site related due diligence for the development included adjoining parcels not owned by the county. The \$65,000 nonrefundable option fee paid to the date will be credited toward the \$700,000 purchase price, but will not be refunded if the option is not exercised and the purchase is not finalized.

Department/Prepared By Economic Development / David A Cialdini

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

1 Supervisor Jason Haas, Chairperson,
2 From the Committee on Intergovernmental Relations, reporting on:

3
4 File No. 13-552
5

6 (ITEM 29) A resolution by Supervisors Cullen, Broderick, Stamper II, Lipscomb, Sr.,
7 Bowen, Romo West, and Haas opposing State legislation prohibiting local governments
8 from using residency as a condition of employment, by recommending adoption of the
9 following:

10
11 **A RESOLUTION**
12

13 WHEREAS, local units of government, including Milwaukee County, have the
14 specific authority to put in place various conditions of employment on prospective and
15 existing employees, including any requirements relating to where the employee must
16 reside; and

17
18 WHEREAS, Milwaukee County has a residency requirement for most employees,
19 except for certain job classifications primarily related to medical services, to maintain
20 their domicile and principal place of residence within the geographic limits of Milwaukee
21 County; and

22
23 WHEREAS, the Governor proposed, as part of the 2013-15 State Budget
24 according to the Legislative Fiscal Bureau analysis, to prohibit any city, village, town,
25 county, or school district from requiring that any employee or prospective employee, as
26 a condition of employment, reside within any jurisdictional limit; and

27
28 WHEREAS, Milwaukee County, according to the Civil Service rules, permits
29 exemptions to the residency requirement for those classifications determined to be
30 essential to effective functioning of County operations and which, on the basis of
31 classification, vacancy, experience, and difficulty in recruitment, cannot be filled with
32 qualified personnel without waiving the restriction; and

33
34 WHEREAS, Milwaukee County, as well as all other local units of government in
35 the State of Wisconsin, should retain the right to determine residency restrictions as
36 deemed most effective for each particular community; now, therefore,

37
38 BE IT RESOLVED, that the Milwaukee County Board of Supervisors opposes
39 State legislation to prohibit local units of government, including Milwaukee County, from
40 requiring that any employee or prospective employee, as a condition of employment,
41 reside within any jurisdictional limit; and

42
43 BE IT FURTHER RESOLVED, that the Director of Intergovernmental Relations is
44 authorized and directed to communicate the contents of this resolution to the
45 appropriate State policymakers and any other related officials.

FOR SUSPENSION OF THE RULES

1 By Supervisors Lipscomb, Jursik, Weishan, Stamper, Bowen, Haas, Schmitt, Romo West,
2 Cullen, Staskunas, Broderick, Rainey and Dimitrijevic
3
4

5 **A RESOLUTION**

6 to dismiss the Corporation Counsel pursuant to State Statute 59.42(2)(a)
7
8

9 WHEREAS, Kimberly Walker was appointed Milwaukee County Corporation Counsel
10 by the County Executive on June 28, 2011, and confirmed by the County Board on July 28, 2011,
11 (File No. 11-314, Vote 19-0); and
12

13 WHEREAS, Wisconsin State Statute 59.42(2)(a) states in part:
14

15 The corporation counsel may be dismissed at any time by the county executive with the
16 concurrence of a majority of the members-elect of the board. The corporation counsel
17 may also be dismissed at any time by a majority vote of the board. If the county executive
18 vetoes an action by the board to dismiss the corporation counsel, the board may override
19 the veto by a two-thirds vote of the members-elect of the board.
20

21 ; now, therefore,
22

23 BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby
24 dismiss the Corporation Counsel pursuant to State Statute 59.42(2)(a).

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: June 19, 2013

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution to dismiss the Corporation Counsel pursuant to State Statute 59.42(2)(a)

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		
	Revenue		
	Net Cost		

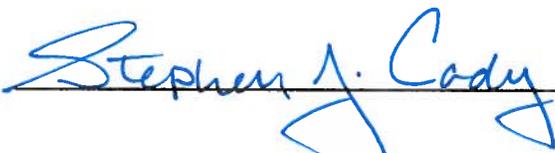
DESCRIPTION OF FISCAL EFFECT

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 dismiss the Corporation Counsel pursuant to State Statute 59.42(2)(a). This fiscal note assumes that the net financial impact of this action is \$0 due to the unknown length of time the position of Corporation Counsel will remain vacant.

Department/Prepared By Stephen Cady, Fiscal and Budget Analyst, County Board

Authorized Signature  _____

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

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.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.
CBPacket 062013 Page 147