

(ITEM) From the Director, Department of Human Resources, requested an amendment to Civil Service Rule IV, Section 5 relating to the probationary period for Parks/Highway Maintenance Worker positions, by recommending adoption of the following:

A RESOLUTION

WHEREAS, pursuant to Chapter 33.05(1) of the Milwaukee County Code of General Ordinances, modifications or amendments to existing civil service rules shall be referred to the County Board for consideration prior to the item being considered by the Civil Service Commission; and

WHEREAS, the Department of Parks, Recreation and Culture, on behalf of both Parks and the Department of Transportation is requesting that the Civil Service Commission amend Civil Service Rule IV, Section 5, to extend the probationary period for the position of Parks/Highway Maintenance Worker to one year (2,080 straight time hours) from the initial date of hire; and

WHEREAS, the Parks/Highway Maintenance Worker position is shared between Parks and the Highway Division of the Department of Transportation - the position reports to Parks for 33 weeks in the temperate seasons and Highways for 19 weeks over the winter; and

WHEREAS, the probationary period for most classified positions is 1,040 straight time hours; however, due to the variable nature of the Parks/Highway Maintenance Worker position, a six-month probation is insufficient to properly assess the individual's ability to fulfill the duties and responsibilities in each function; and

WHEREAS, the proposed change in probationary period would apply only to persons hired after the effective date of the rule change; and

WHEREAS, the Director, Department of Human Resources has reviewed the request and recommends approval of the amendment request to both the County Board and the Civil Service Commission; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby approves the recommended change to Civil Service Rule IV, Section 5, to increase the probationary period for the position of Parks/Highway Maintenance Worker from 1,040 straight time hours to 2,080 straight time hours.

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APPROVED AS TO FORM

 CORPORATION COUNSEL
 4/25/2013

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: March 28, 2013

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: A resolution approving of a requested amendment to Civil Service Rule IV, Section 5 relating to probation of Parks/Highway Maintenance Worker positions.

FISCAL EFFECT:

- ☒ No Direct County Fiscal Impact
- ☐ Existing Staff Time Required
- ☐ Increase Operating Expenditures
(If checked, check one of two boxes below)
- ☐ Absorbed Within Agency's Budget
- ☐ Not Absorbed Within Agency's Budget
- ☐ Decrease Operating Expenditures
- ☐ Increase Operating Revenues
- ☐ Decrease Operating Revenues
- ☐ Increase Capital Expenditures
- ☐ Decrease Capital Expenditures
- ☐ Increase Capital Revenues
- ☐ Decrease Capital Revenues
- ☐ Use of contingent funds

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

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

DESCRIPTION OF FISCAL EFFECT

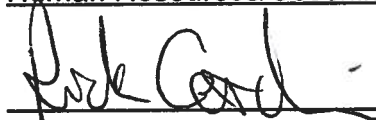
In the space below, you must provide the following information. Attach additional pages if necessary.

- 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.

Adoption of this resolution is not anticipated to result in any fiscal effect.

Department/Prepared By Human Resources/Ceschin

Authorized Signature



Did DAS-Fiscal Staff Review? ☒ Yes ☐ No

Did CBDP Review?² ☐ Yes ☐ No ☒ Not Required

RECEIVED
COUNTY BOARD
CHAIRMAN

2013 APR -1 PM 2:41

RECEIVED
COUNTY BOARD
CHAIRMAN

2013 MAR 32 AM 9:37

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 County Business Development Package review is required on all professional service and public work construction contracts.



OFFICE OF THE COUNTY CLERK

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JOSEPH J. CZARNEZKI • COUNTY CLERK

MEMO

DATE: May 3, 2013
TO: The Honorable County Board of Supervisors
FROM: Joseph J. Czarnezki, County Clerk
SUBJECT: Vetoed File Returned

The County Executive has returned to my office the following file:

File No. 13-397 – A resolution by Supervisors Dimitrijevic, Lipscomb, Sr., Romo West, Cullen, Jursik, Borkowski, Bowen, Schmitt, Broderick, and Haas to reform and define the roles and responsibilities of the Milwaukee County Board of Supervisors as the policy-making body and the administrative duties of the County Executive, as determined locally.

This resolution was adopted by a vote of 15 ayes – 3 noes at your meeting of April 25, 2013.

The County Executive has vetoed this resolution and attached is a copy of his veto message wherein he states his objection.

This matter is now before your honorable body.

A handwritten signature in black ink, appearing to read "Joseph J. Czarnezki".

Joseph J. Czarnezki, County Clerk



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

DATE: May 1, 2013

TO: The Honorable Milwaukee Board of Supervisors

FROM: Chris Abele, Milwaukee County Executive

RE: Veto of County Board File No. 13-397 on a County Board Plan to Potentially Change Some Functions and Pay of Supervisors

I am vetoing County Board File No. 13-397 pursuant to the authority granted to me by Article IV, Section 23(a) of the Wisconsin Constitution and Section 59.17(6) of the Wisconsin Statutes.

The County Board adopted a resolution on April 25, 2013 that promised to make changes to Supervisor pay and benefits, as well as a host of other issues.

I am vetoing this file for three main reasons:

- Parts of it are not legal;
- The resolution was not fully vetted by attorneys or the offices it affects; and,
- Numerous sections of the measure are impractical, unclear, and misleading to the voters.

Precisely because reforming the County governance structure is so important, it deserves a process that reflects its importance to our community.

The most troubling aspect of this resolution is that, even after Supervisors were told by attorneys that a section of the resolution violates the law, the Board still approved it. During debate on the Board floor, Corporation Counsel's written opinion on one legal concern – that the Board cannot legally mandate training for elected officials, as only the legislature has this authority, or make elected officials' compensation contingent on this mandate – was discussed. Despite that discussion, the Chairwoman advocated for moving forward with the package as introduced and 15 Supervisors still voted to pass the measure without amendment.

I am also concerned that this resolution was not seen before being introduced by the Comptroller's Office, which is directly affected by the suggested changes. Had this step been taken, there could have been at least a discussion and clarity on his opinion as an independently elected official. This, in turn, could have clarified that what this resolution calls for does not align with the Comptroller's preferences nor with the statute that creates his office. Had Corporation

Counsel been consulted before this resolution, the Board may have learned that, as an office headed by an independently elected officer, the Board cannot dictate the management of the Comptroller's office.

I am also vetoing this resolution because it calls for shifting staff from the Board to other parts of the County, but provides little to no rationale for why the moves would be beneficial nor does the resolution commit to a significant overall reduction in staff. The implication of the Board staff reduction is that it will save taxpayers a significant amount of money; however, since the staff may simply be shifted to other departments, the savings may be minimal.

I am particularly concerned about the plan to move the Community Business Development Partners (CBDP) from the County Board to the Comptroller's Office. According to the U.S. Department of Transportation regulation 49 C.F.R. 26.25, the Disadvantaged Business Program (DBE) liaison officer, who in this case is also the Director of CBDP, needs to have a direct and independent reporting relationship to the local unit of government's Chief Executive Office.

Attorney JoAnne Robinson, General Counsel of the Department of Transportation, informed Milwaukee County Corporation Counsel that the purpose of 49 C.F.R. 26.25 is to ensure that a local unit of government's DBE program be administered as an executive function of government and that the DBE liaison officer "must have unfettered access to the County executive to comply with Federal requirements."

Attorney Robinson stated that a failure to comply could result in the local unit of government losing eligibility for the federal funding it receives that is tied to the DBE program. Currently, Milwaukee County receives approximately \$34 million in federal funding that is tied to DBE, that funding could be put at risk.

I'm also concerned about the difficulty of complying with confusing and contradictory language surrounding Labor Relations. In one section, the resolution "transfers to the County Executive the charge of negotiating all matters arising under chapter. 111, Wis Stats...." Then, in the very next section, the resolution states, the County Board "shall be responsible for policy oversight and determining the parameters for the county labor negotiations."

I believe that the issues this bill is intended to address are more effectively and appropriately addressed in AB 85/SB 95. I understand many Supervisors are unhappy with my support for that state legislation. As I've stated many times in the past, my support for the state bill is not personal, nor is it about me or any Board members; rather, it is about achieving clarity so that we can become a high-performing organization that makes our community and our State proud.

Please sustain this veto and, if you go forward with a Board-supported package to complement the state legislation, I encourage a look into best governance practices across the country and consultation with those in the county affected by your proposals.

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APR 25 2013

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(ITEM) A resolution by Supervisors Dimitrijevic, Lipscomb, Sr., Romo West, Cullen, Jursik, Borkowski, Bowen, Schmitt, Broderick, and Haas to reform and define the roles and responsibilities of the Milwaukee County Board of Supervisors as the policy-making body and the administrative duties of the County Executive, as determined locally, by recommending adoption of the following:

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AN AMENDED RESOLUTION

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WHEREAS, Milwaukee County is the largest populated county in the State of Wisconsin with approximately one in every six Wisconsin residents living in one of nineteen municipalities within its borders; and

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WHEREAS, due to its large and diverse population, business and transportation hubs, and sports and cultural attractions Milwaukee County is unlike any of the other 71 Wisconsin Counties; and

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ADOPTED

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WHEREAS, Milwaukee County government reflects the diversity of its community and supports the ability of its elected leaders to determine organizational and administrative powers, to the extent granted by State Statute 59.03(1) Administrative Home Rule, which states:

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Every county may exercise any organizational or administrative power, subject only to the constitution and to any enactment of the legislature which is of statewide concern and which uniformly affects every county.

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WHEREAS, State Assembly Bill 85 (AB 85) and companion Senate Bill 95 (SB 95), if adopted would, among other things, change the compensation structure of a Milwaukee County Supervisor, remove and transfer authority of the Milwaukee County Board, increase the authority of the Milwaukee County Executive, and impose strict limits on the size of the County Board departmental budget in state statute; and

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WHEREAS, these bills would only apply to Milwaukee County and not to other counties, even ones that have chosen to use a County Executive form of governance model; and

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WHEREAS, in February 2013, the Milwaukee County Board of Supervisors unveiled *OUR Milwaukee County*, or "Outreach for Unified Reform" (OUR), a countywide government reform initiative based on dialogue and listening sessions with Milwaukee County residents about changes proposed in the State legislation and ideas for reforms generated locally and approved by County elected officials; and

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APPROVED AS TO FORM

 4/25/2013
 COUNTY CLERK

WHEREAS, this package of reforms, developed at the local level, reflects suggestions and viewpoints from Milwaukee County residents, local and state government elected officials, and others interested in meaningful reform; and

Local Control

BE IT RESOLVED, that the County Board of Supervisors does hereby support State Statute 59.03(1) Administrative Home Rule, which states:

Every county may exercise any organizational or administrative power, subject only to the constitution and to any enactment of the legislature which is of statewide concern and which uniformly affects every county.

; and

County Board Composition, Compensation and Terms

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors hereby pledges to reduce County Board Supervisor salaries by 20 percent, from approximately \$50,679 to \$40,543, and the Chairperson's from \$71,412 to \$57,130, beginning with the term commencing April 18, 2016; and

BE IT FURTHER RESOLVED, that any increases in the salary of all county supervisors shall require a two-thirds vote of the board and shall be limited to the rate of inflation, as determined by the U.S. Department of Labor, Consumer Price Index - Urban, Milwaukee - Racine area, with the understanding that salaries, besides the County Board Chairperson, shall not exceed the salary of state legislators; and

BE IT FURTHER RESOLVED, that beginning with the 2016 term of office, Supervisors shall no longer receive pension service credit unless they voluntarily choose to pay the full normal cost of the pension benefit as determined by the actuary and reported by the Comptroller and as allowable under state and federal law; and

BE IT FURTHER RESOLVED, that the County Board of Supervisors shall continue to be able to participate in the health insurance plan that is offered to County employees, but shall always pay a portion of the premium (i.e. monthly premiums, co-pays, co-insurance, deductibles, etc.) that is no less than the portion paid by state legislators, as determined by the Comptroller; and

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors hereby directs Intergovernmental Relations staff to seek State legislation to reduce the term of office for Supervisors from four to two years beginning with the 2016 term; and

BE IT FURTHER RESOLVED, that File No. 13-273, adopted March 21, 2013, which requested that the State of Wisconsin grant Milwaukee County the ability to downsize the

number of supervisors between the decennial redistricting process by resolution or public petition, shall be considered by the County Board for the term beginning in 2016, if so granted; and

County Board Operating Budget/Staff/Procedures

BE IT FURTHER RESOLVED, that the County Board of Supervisors, through the chair of the department, will submit a 2014 budget request that includes a 50 percent overall budget reduction that includes a minimum reduction of approximately 50 percent of authorized and funded staff positions with other expense reductions to follow beginning with the 2016 term when the components of this resolution are fully enacted; and

BE IT FURTHER RESOLVED, that all allowable property tax savings generated through a reduction in the County Board operating budget shall be dedicated to county services; and

BE IT FURTHER RESOLVED, that any future increases in appropriations within the County Board budget shall require a two-thirds vote of the County Board on Org. Unit 1000 - County Board unless a similar change is made which affects county departments on a countywide basis in all other departments as determined by the Comptroller; and

BE IT FURTHER RESOLVED, that the County Board research staff positions, per past recommendations made in a 2003 report by the Greater Milwaukee Committee and a 2012 report by the County Comptroller, be transferred into the County's civil service system upon the approval of the Civil Service Commission to strengthen the independence of staff providing fiscal and policy guidance to the County Board; and

BE IT FURTHER RESOLVED, that the County Board Chairperson shall refrain from referring files (reports, resolutions, ordinances, appointments, etc.) to more than one standing committee within one cycle unless required elsewhere in state law or county ordinances to eliminate the need for County staff and the public to attend multiple committee hearings; and

BE IT FURTHER RESOLVED, that the Office of the Comptroller and Department of Administrative Services - Fiscal Affairs shall develop for 2014 a budgeting procedure for legacy costs where the expense is abated out of departmental budgets and presented centrally within Org. Unit 1950 - Employee Fringe Benefits to reflect that these costs are an obligation of the County and not directly related to the actual cost to operate a particular department, program, or service; and

Roles and Responsibilities of the County Board and County Executive

BE IT FURTHER RESOLVED, that the County Board of Supervisors hereby clarifies the roles of the executive and legislative branches of Milwaukee County government by affirming the County Board as the policy-making body of County government and the

135 County Executive as the administrator and manager of day-to-day operations of County
136 government, responsible for carrying out policies adopted by the County Board through
137 his/her management and supervision of the day-to-day operations of Milwaukee County;
138 and
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140 BE IT FURTHER RESOLVED, that department heads are managed and supervised by
141 the County Executive, and the County Board of Supervisors, as the policy-making body,
142 does not manage or supervise department heads; and
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144 BE IT FURTHER RESOLVED, that the County Board of Supervisors shall refrain from
145 interfering in the day-to-day operations of Milwaukee County, as both the County Board of
146 Supervisors and the County Executive shall strive to best serve the public with the
147 understanding that they may share differing viewpoints; and
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149 BE IT FURTHER RESOLVED, that while the County Executive has day-to-day control
150 over department heads and staff, the County Board, to fulfill its policy-making and
151 oversight responsibilities, has the right to make reasonable requests for information and/or
152 attendance at County Board meetings to communicate as to the effectiveness and
153 implementation of policy objectives set by the County Board; and
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155 BE IT FURTHER RESOLVED, that County Board members and staff may seek
156 information from departmental staff to address constituent concerns or policy-making
157 relating to the execution of their duties but may not in any manner provide administrative
158 direction to departments under the authority of the County Executive; and
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160 BE IT FURTHER RESOLVED, that by resolution, the County Executive, subject to
161 approval of the County Board, or the County Board, subject to the approval of the County
162 Executive, shall have the authority to establish, eliminate, or modify departments and
163 subunits thereof as part of the annual budget process; and
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165 Training

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167 BE IT FURTHER RESOLVED, that the County Executive, County Board of
168 Supervisors, and their respective staffs shall participate in training that focuses on roles and
169 responsibilities and shall be provided by an organization that has the expertise in the area,
170 which can include department or other elected officials, with the initial training completed
171 by September 1, 2013; and
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173 BE IT FURTHER RESOLVED, in addition, but not limited to, training will be
174 provided on:
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- 176 • county governance
- 177 • budgeting
- 178 • public records and open meetings laws

- 179 • parliamentary procedures
180 • rules of decorum
181 • conflict management
182 • cooperative decision making
183 • ethics

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187 BE IT FURTHER RESOLVED, at least twelve (12) hours of training is mandatory for
188 County Board Supervisors and County Board staff every two years within six (6) months
189 after the election; and

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191 BE IT FURTHER RESOLVED, the training is a condition of employment for County
192 Board Supervisors, and they shall participate in the training or shall lose their salary for the
193 period of noncompliance; and

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195 BE IT FURTHER RESOLVED, the County Clerk is responsible for recording the
196 attendance of all required participants, which shall be provided as an informational report
197 to the County Board at the conclusion of the training period; and

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199 BE IT FURTHER RESOLVED, that in addition to the training outlined above, each
200 department shall provide an informational session to the County Board of Supervisors
201 within three months, or as soon as reasonable after the seating of a new board, on their
202 respective departments; these can be scheduled in large groups by functional area for ease
203 of scheduling and administration; and

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205 BE IT FURTHER RESOLVED, that the training program shall be evaluated by the
206 Office of the Comptroller to ensure the efficacy of the program; and

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208 **County Clerk Roles and Responsibilities**

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210 BE IT FURTHER RESOLVED, that beginning in 2014, the County Clerk, per State
211 Statute 59.23(2), shall assume control of all Committee Clerk and Committee support staff
212 functions and all related expenditures as it relates to recording and maintaining County
213 Board proceedings and meetings; and

214
215 **Intergovernmental Relations**

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217 BE IT FURTHER RESOLVED, that Intergovernmental Relations shall be established
218 as a separate, independent department, with all related expenditures beginning in 2014,
219 that will serve both the County Executive and County Board and only advance policies that
220 have been approved by the County; and

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BE IT FURTHER RESOLVED, that Intergovernmental Relations staff shall be reclassified as part of the 2014 Adopted Budget to have two co-equal positions, one position appointed by the County Executive and one by the County Board Chairperson, to fulfill its duties and to speak with one voice to other units of government based on the adopted policies approved by the County; and

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors hereby directs Intergovernmental Relations staff to seek state legislation to remove obsolete statutory provisions (as set forth in 2013 AB 85) relating to:

- civil service procedure
- building inspector
- soil conservation
- mosquito control
- professional baseball team
- licensing of cats
- design/build for a sheriff's training facility

; and

BE IT FURTHER RESOLVED, that the County Board of Supervisors does not oppose a change to state statutes to provide the County Executive the authority in state statutes to hire and supervise outside counsel to assist with state-mandated child enforcement activities; and

Community Business Development Partners

BE IT FURTHER RESOLVED, that County Board-Community Business Development Partners (Org. Unit 1040) shall be transferred to the Office of the Comptroller effective July 1, 2013, as a separate division within the independent office to administer the County's Disadvantaged Business Enterprise (DBE) Program; and

Comptroller

BE IT FURTHER RESOLVED, that the newly created Office of the Comptroller, who serves as an independent officer overseeing all fiscal matters and provides critical analysis, guidance, and advice to both the County Executive and County Board, shall identify staffing requirements and resources to policy-makers that enable the Comptroller to be fully engaged, especially during the preparation and adoption of the annual budget; and

Corporation Counsel

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors recognizes and reaffirms State Statute 59.42(2) that states in part:

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267 The corporation counsel shall be appointed by the county executive, with the
268 concurrence of a majority of the board and shall not serve at the pleasure of the
269 county executive. The corporation counsel may be dismissed at any time by the
270 county executive with the concurrence of a majority of the members-elect of the
271 board. The corporation counsel may also be dismissed at any time by a majority
272 vote of the board. If the county executive vetoes an action by the board to dismiss
273 the corporation counsel, the board may override the veto by a two-thirds vote of the
274 members-elect of the board.

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276 ; and

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278 **Contracting**

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280 BE IT FURTHER RESOLVED, that the County Board of Supervisors hereby increases
281 the threshold of Professional Services Contracts requiring County Board approval from
282 \$50,000 to \$100,000; and

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284 BE IT FURTHER RESOLVED, that the Committee on Finance, Personnel, and Audit
285 shall have jurisdiction of all Professional Services Contracts unless otherwise prescribed by
286 state or federal law; and

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288 BE IT FURTHER RESOLVED, that if the Committee on Finance, Personnel, and Audit
289 has not taken an action on a Professional Services Contract within forty-five (45) days after
290 it was referred to them by the Chairperson, the Comptroller is authorized to act on the
291 contract without County Board approval provided the requestor wishes to do so; and

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293 BE IT FURTHER RESOLVED, that the Comptroller is hereby requested to examine
294 all County contract procedures to determine if additional streamlining and efficiencies
295 could be achieved for contract approvals, while ensuring that proper internal controls and
296 policy-maker oversight are maintained and present any recommendations to the County
297 Board prior to October 1, 2013, so that any potential changes could be considered as part
298 of the 2014 Adopted Budget; and

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300 BE IT FURTHER RESOLVED, that in addition to the above, the Comptroller is hereby
301 requested to review the efficiency of the County Executive signing or countersigning
302 contracts prior to it being effective; and

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304 BE IT FURTHER RESOLVED, that the County Board, as the policy-making body,
305 maintains policy parameters for contracting and procurement to guide the County in
306 contract negotiations; and

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311 **Labor Relations**

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313 BE IT FURTHER RESOLVED, that the County Board of Supervisors, upon approval of
314 the related general ordinances, hereby transfers to the County Executive the charge of
315 negotiating all matters arising under Chapter 111, Wisconsin Statutes, Employment
316 Relations that are currently vested with the Committee on Finance, Personnel, and Audit;
317 and
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319 BE IT FURTHER RESOLVED, that the County Board, who must approve all
320 collective bargaining agreements, shall be responsible for policy oversight and determining
321 the parameters for the County's labor negotiations through the Committee on Finance,
322 Personnel, and Audit; and
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324 **Governance, Operational and Efficiency Audit**

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326 BE IT FURTHER RESOLVED, that File No. 13-155, adopted by the County Board on
327 February 7, 2013, which seeks an independent audit of the County to identify additional
328 efficiencies in areas related to governance and operations of the County, shall have a scope
329 that includes, but is not limited to:
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 - Identification of appropriate staffing levels
 - 332 • Identification of the appropriate roles and responsibilities of the branches of
 - 333 government, including county departments
 - 334 • Identification of organizational best practices
 - 335 • Additional efficiency measures and recommendations for all branches of
 - 336 government

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338 ; and
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340 BE IT FURTHER RESOLVED, that the audit shall be completed prior to County
341 Board deliberation of the 2014 County Budget and any additional budget and staff
342 reduction recommendations shall be reflected in the annual budget; and
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344 BE IT FURTHER RESOLVED, that the County Board commits to working on any
345 long-term recommendations in the audit related to the Office of the County Executive
346 and/or County departments to the extent practicable under state law, federal law, and
347 governance best practices; following a process that allows for public input and with a
348 request for a mediator to assist, if necessary, in the implementation of any long-term
349 recommendations; and
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351 BE IT FURTHER RESOLVED, that the County Board shall commit to the adoption of
352 other non-budgetary audit recommendations to the extent practicable under state and
353 federal law and governance best practices; and
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355 BE IT FURTHER RESOLVED, that upon adoption of this resolution, County Board
356 staff, working in conjunction with appropriate departmental staff, shall develop
357 recommended changes to the Milwaukee County General Ordinances to effectuate the
358 policy directions contained in this resolution requiring ordinance revisions and submit
359 them to the County Board of Supervisors as soon as practicable for approval.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: April 18, 2013

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: A resolution to reform and define the roles and responsibilities of the Milwaukee County Board of Supervisors as the policy-making body and the administrative duties of the County Executive, as determined locally

FISCAL EFFECT:

- ☒ No Direct County Fiscal Impact
- ☒ Existing Staff Time Required
- ☐ Increase Operating Expenditures
(If checked, check one of two boxes below)
- ☐ Absorbed Within Agency's Budget
- ☐ Not Absorbed Within Agency's Budget
- ☐ Decrease Operating Expenditures
- ☐ Increase Operating Revenues
- ☐ Decrease Operating Revenues
- ☐ Increase Capital Expenditures
- ☐ Decrease Capital Expenditures
- ☐ Increase Capital Revenues
- ☐ Decrease Capital Revenues
- ☐ Use of contingent funds

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

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

DESCRIPTION OF FISCAL EFFECT

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

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

Approval of this resolution will adopt a package of reforms related to the Milwaukee County Board of Supervisors, including better defining the roles and responsibilities of the policy-making Board and the administrative duties of the County Executive.

It should be noted that this resolution outlines a series of reforms that are expected to yield significant fiscal savings; however, the actual savings will be authorized in future resolutions (e.g. 2014 and subsequent annual budgets) as these reforms are enacted. For the purpose of this fiscal note, the fiscal impact of adopting this resolution is \$0.

A 50 percent reduction in the County Board Budget (Org. 1000) is approximately \$3,328,221 based on the 2013 Adopted Budget. Excluding legacy costs of \$1,115,471 allocated to the County Board, a 50 percent budget reduction is approximately \$2,770,485. (See legacy cost below) A 50 percent reduction in authorized staff is approximately 19.2 FTE positions based on the 2013 Adopted Budget. These reductions, per the resolution, will be part of the 2014 Adopted Budget. Savings for the 20 percent reduction in Supervisor salaries and no pension service credit will begin with the new term of office in 2016. Based on an analysis of the 2013 Adopted Budget, a 20 percent reduction in pay with no pension service costs for 18 Supervisors would yield approximately \$351,794 in additional savings on a full-year basis.

This resolution calls for supporting or opposing state legislation that will require existing Intergovernmental relations staff time. This includes:

- Supporting Administrative Home Rule for Milwaukee County
- Opposing Assembly Bill 85 and Senate Bill 95
- Supporting two-year terms for Supervisors

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.
May 6, 2013 - County Board Mtg - page 17

- Supporting the deletion of obsolete statutory provisions related to Milwaukee County

In addition, staff time will be required for the following reforms included in the resolution. This includes the following initiatives and impacted department(s):

- Placing County Board research staff into civil service (County Board & Human Resources)
- Abating legacy costs from departments (Comptroller & DAS-Fiscal Affairs)
- Training and informational sessions (County Board & County Executive + various departments)
- County Clerk assumption of Committee Clerk and Committee support staff functions (County Board & County Clerk)
- Examining Comptroller staff needs in order to provide adequate analysis, guidance and advice on County fiscal matters (Comptroller)
- Examining County contracting for further efficiencies (Comptroller)
- Examining merits of County Executive signing or countersigning contracts (Comptroller)
- Adopting conforming County Ordinances to effectuate the portions of this resolution that so require ordinance modifications (County Board and various department staff)

There are also provisions within the resolution that are expected to reduce various county employee staff time. These items include:

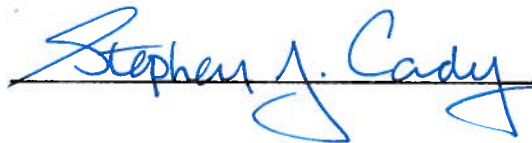
- Refraining from referring files, resolutions, reports, etc. to more than one standing committee of the County Board unless otherwise required.
- Increasing the threshold for County Board approval of professional service contracts from \$50,000 to \$100,000.

This resolution transfers Community Business Development Partners (Org. Unit 1040) as a department under the authority of the County Board to the Office of the Comptroller as a separate division effective July 1, 2013. This fiscal note assumes that the fiscal impact of this transfer is neutral. In addition, Intergovernmental Relations staff currently located within the County Board budget would be reclassified and transferred to a new department effective January 1, 2014. Also, the County Clerk would assume Committee Clerk and Committee support functions beginning in 2014. In both of these cases, it is expected that these reductions in County Board expenses will be offset with increased expenses in the new departments for no net fiscal impact.

This resolution also calls for reverting to past practice on the treatment of legacy pension and health costs by abating them out of all county departments, subject to the recommendation of the Comptroller. For 2013, the County Board's legacy cost allocation is \$1,115,471. Previously, legacy costs were presented as part of the Employee Fringe Benefits budget (Org. Unit 1950). These costs would remain a county commitment, subject to the annual changes in these amounts as determined by the County's health care and pension actuaries and verified by the Comptroller.

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 GR 13-397
Referred

1 By Supervisors Dimitrijevic, Lipscomb, Romo West, Cullen, Jursik, Borkowski, Bowen,
2 Schmitt, Broderick and Haas

APR 19 2013
**County Board
Chair**

3
4 **A RESOLUTION**

5 to reform and define the roles and responsibilities of the Milwaukee County
6 Board of Supervisors as the policy-making body and the administrative duties of the
7 County Executive, as determined locally
8

9 WHEREAS, Milwaukee County is the largest populated county in the State of
10 Wisconsin with approximately one in every six Wisconsin residents living in one of
11 nineteen municipalities within its borders; and
12

13 WHEREAS, due to its large and diverse population, business and transportation
14 hubs and sports and cultural attractions, Milwaukee County is unlike any of the other 71
15 Wisconsin Counties; and
16

17 WHEREAS, Milwaukee County government reflects the diversity of its community
18 and supports the ability of its elected leaders to determine organizational and
19 administrative powers, to the extent granted by State Statute 59.03(1) Administrative
20 Home Rule, which states:
21

22 Every county may exercise any organizational or administrative power, subject
23 only to the constitution and to any enactment of the legislature which is of
24 statewide concern and which uniformly affects every county.
25

26 ; and
27

28 WHEREAS, State Assembly Bill 85 and companion Senate Bill 95, if adopted
29 would, among other things, change the compensation structure of a Milwaukee County
30 Supervisor, remove and transfer authority of the Milwaukee County Board, increase the
31 authority of the Milwaukee County Executive and impose strict limits on the size of the
32 County Board departmental budget in state statute; and
33

34 WHEREAS, these bills would only apply to Milwaukee County and not to other
35 counties, even ones that have chosen to use a County Executive form of governance
36 model; and
37

38 WHEREAS, in February 2013 the Milwaukee County Board of Supervisors
39 unveiled *OUR Milwaukee County*, or "Outreach for Unified Reform" (OUR), a
40 countywide government reform initiative based on dialogue and listening sessions with
41 Milwaukee County residents about changes proposed in the State legislation and ideas
42 for reforms generated locally and approved by County elected officials; and

43 WHEREAS, this package of reforms, developed at the local level, reflects
44 suggestions and viewpoints from Milwaukee County residents, local and state
45 government elected officials and others interested in meaningful reform; and
46

47 **Local Control**

48
49 BE IT RESOLVED, that the County Board of Supervisors does hereby support
50 State Statute 59.03(1) Administrative Home Rule, which states:
51

52 Every county may exercise any organizational or administrative power,
53 subject only to the constitution and to any enactment of the legislature which is of
54 statewide concern and which uniformly affects every county.
55

56 ; and
57

58 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
59 hereby opposes AB 85 and SB 95 that preempts local control and imposes a public
60 referendum on only a portion of the legislation while arbitrarily eliminating resources and
61 oversight functions of the legislative body and conferring additional powers to the
62 County Executive that are not given to any other Wisconsin County; and
63

64 **County Board Composition, Compensation and Terms**

65
66 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
67 hereby pledges to reduce County Board Supervisor salaries by 20 percent, from
68 approximately \$50,679 to \$40,543, and the Chairperson's from \$71,412 to \$57,130,
69 beginning with the term commencing April 18, 2016; and
70

71 BE IT FURTHER RESOLVED, that any increases in the salary of all county
72 supervisors shall require a two-thirds vote of the board and shall be limited to the rate of
73 inflation, as determined by the U.S. Department of Labor, Consumer Price Index –
74 Urban, Milwaukee – Racine area, with the understanding that salaries, besides the
75 County Board chairperson, shall not exceed the salary of state legislators; and
76

77 BE IT FURTHER RESOLVED, that beginning with the 2016 term of office,
78 Supervisors shall no longer receive pension service credit unless they voluntarily
79 choose to pay the full normal cost of the pension benefit as determined by the actuary
80 and reported by the Comptroller and as allowable under state and federal law; and
81

82 BE IT FURTHER RESOLVED, that the County Board of Supervisors shall
83 continue to be able to participate in the health insurance plan that is offered to County
84 employees, but shall always pay a portion of the premium (i.e. monthly premiums, co-
85 pays, co-insurance, deductibles, etc.) that is no less than the portion paid by state
86 legislators, as determined by the Comptroller; and

87 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
88 hereby directs Intergovernmental Relations staff to seek State legislation to reduce the
89 term of office for Supervisors from four to two years beginning with the 2016 term; and

90 BE IT FURTHER RESOLVED, that File No. 13-273, adopted March 21, 2013,
91 which requested that the State of Wisconsin grant Milwaukee County the ability to
92 downsize the number of supervisors between the decennial redistricting process by
93 resolution or public petition, shall be considered by the County Board for the term
94 beginning in 2016 if so granted; and

95
96 **County Board Operating Budget/Staff/Procedures**
97

98 BE IT FURTHER RESOLVED, that the County Board of Supervisors, through the
99 chair of the department, will submit a 2014 budget request that includes a 50 percent
100 overall budget reduction that includes a minimum reduction of approximately 50 percent
101 of authorized and funded staff positions with other expense reductions to follow
102 beginning with the 2016 term when the components of this resolution are fully enacted;
103 and

104
105 BE IT FURTHER RESOLVED, that all allowable property tax savings generated
106 through a reduction in the County Board operating budget shall be dedicated to county
107 services; and

108
109 BE IT FURTHER RESOLVED, that any future increases in appropriations within
110 the County Board budget shall require a two-thirds vote of the County Board on Org.
111 Unit – 1000 County Board unless a similar change is made which affects county
112 departments, on a countywide basis in all other departments, as determined by the
113 Comptroller; and

114
115 BE IT FURTHER RESOLVED, that the County Board research staff positions,
116 per past recommendations made in a 2003 report by the Greater Milwaukee Committee
117 and a 2012 report by the County Comptroller, be transferred into the County's civil
118 service system upon the approval of the Civil Service Commission, to strengthen the
119 independence of staff providing fiscal and policy guidance to the County Board; and

120
121 BE IT FURTHER RESOLVED, that the County Board Chairperson shall refrain
122 from referring files (reports, resolutions, ordinances, appointments, etc.) to more than
123 one standing committee within one cycle unless required elsewhere in state law or
124 county ordinances to eliminate the need for county staff and the public to attend multiple
125 committee hearings; and

126
127 BE IT FURTHER RESOLVED, that the Office of the Comptroller and Department
128 of Administrative Services – Fiscal Affairs shall develop for 2014 a budgeting procedure
129 for legacy costs where the expense is abated out of departmental budgets and

130 presented centrally within Org. Unit 1950 – Employee Fringe Benefits, to reflect that
131 these costs are an obligation of the county and not directly related to the actual cost to
132 operate a particular department, program or service; and
133

134 **Roles and Responsibilities of the County Board and County Executive**
135

136 BE IT FURTHER RESOLVED, that the County Board of Supervisors hereby
137 clarifies the roles of the executive and legislative branches of Milwaukee County
138 government by affirming the County Board as the policy-making body of county
139 government and the County Executive as the administrator and manager of day-to-day
140 operations of county government, responsible for carrying out policies adopted by the
141 County Board through his/her management and supervision of the day-to-day
142 operations of Milwaukee County; and
143

144 BE IT FURTHER RESOLVED, that the department heads are managed and
145 supervised by the County Executive and the County Board of Supervisors, as the
146 policy-making body, does not manage or supervise department heads; and
147

148 BE IT FURTHER RESOLVED, that the County Board of Supervisors shall refrain
149 from interfering in the day-to-day operations of Milwaukee County as both the County
150 Board of Supervisors and the County Executive shall strive to best serve the public with
151 the understanding that they may share differing viewpoints; and
152

153 BE IT FURTHER RESOLVED, that while the County Executive has day-to-day
154 control over department heads and staff, the County Board, to fulfill its policy-making
155 and oversight responsibilities, has the right to make reasonable requests for information
156 and/or attendance at County Board meetings to communicate as to the effectiveness
157 and implementation of policy objectives set by the County Board; and
158

159 BE IT FURTHER RESOLVED, that County Board members and staff may seek
160 information from departmental staff to address constituent concerns or policy-making
161 relating to the execution of their duties, but may not in any manner provide
162 administrative direction to departments under the authority of the County Executive; and
163

164 BE IT FURTHER RESOLVED, that by resolution the County Executive, subject
165 to approval of the County Board, or the County Board, subject to the approval of the
166 County Executive, shall have the authority to establish, eliminate or modify departments
167 and subunits thereof as part of the annual budget process; and
168

169 **Training**
170

171 BE IT FURTHER RESOLVED, that the County Executive, County Board of
172 Supervisors and their respective staffs shall participate in training that focuses on roles
173 and responsibilities and shall be provided by an organization that has the expertise in

174 the area and which can include department or other elected officials, with the initial
175 training completed by September 1, 2013; and

176
177 BE IT FURTHER RESOLVED, in addition, but not limited to, training will be provided
178 on:

- 179
180 • county governance
181 • budgeting
182 • public records and open meetings laws
183 • parliamentary procedures
184 • rules of decorum
185 • conflict management
186 • cooperative decision making
187 • ethics

188
189 ; and

190
191 BE IT FURTHER RESOLVED, at least twelve (12) hours of training is mandatory
192 for County Board Supervisors and County Board staff every two years within six (6)
193 months after the election; and

194
195 BE IT FURTHER RESOLVED, the training is a condition of employment for
196 County Board Supervisors and they shall participate in the training or shall lose his/her
197 salary for the period of noncompliance; and

198
199 BE IT FURTHER RESOLVED, the County Clerk is responsible for recording the
200 attendance of all required participants which shall be provided as an informational report
201 to the County Board at the conclusion of the training period; and

202
203 BE IT FURTHER RESOLVED, that in addition to the training outlined above,
204 each department shall provide an informational session to the County Board of
205 Supervisors within three months or as soon as reasonable after the seating of a new
206 board on their respective departments; these can be scheduled in large groups by
207 functional area for ease of scheduling and administration; and

208
209 BE IT FURTHER RESOLVED, that the training program shall be evaluated by
210 the Office of the Comptroller to ensure the efficacy of the program; and

211
212 **County Clerk Roles and Responsibilities**

213
214 BE IT FURTHER RESOLVED, that beginning in 2014, the County Clerk, per
215 State Statute 59.23(2), shall assume control of all Committee Clerk and Committee

216 support staff functions and all related expenditures as it relates to recording and
217 maintaining County Board proceedings and meetings; and

218

219 **Intergovernmental Relations**

220

221 BE IT FURTHER RESOLVED, that Intergovernmental Relations shall be
222 established as a separate, independent department with all related expenditures
223 beginning in 2014 that will serve both the County Executive and County Board and only
224 advance policies that have been approved by the county; and

225

226 BE IT FURTHER RESOLVED, that Intergovernmental Relations staff shall be
227 reclassified as part of the 2014 Adopted Budget to have two co-equal positions, one
228 position appointed by the County Executive and one by the County Board Chairperson,
229 to fulfill its duties and to speak with one voice to other units of government based on the
230 adopted policies approved by the county; and

231

232 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
233 hereby directs Intergovernmental Relations staff to seek state legislation to remove
234 obsolete statutory provisions (as set forth in 2013 AB 85) relating to:

- 235 • civil service procedure
- 236 • building inspector
- 237 • soil conservation
- 238 • mosquito control
- 239 • professional baseball team
- 240 • licensing of cats
- 241 • design/build for a sheriff's training facility

242

243 ; and

244

245 BE IT FURTHER RESOLVED, that the County Board of Supervisors does not
246 oppose a change to state statutes to provide the County Executive the authority in state
247 statutes to hire and supervise outside counsel to assist with state-mandated child
248 enforcement activities; and

249

250 **Community Business Development Partners**

251

252 BE IT FURTHER RESOLVED, that County Board-Community Business
253 Development Partners (Org. Unit 1040) shall be transferred to the Office of the
254 Comptroller effective July 1, 2013 as a separate division within the independent office to
255 administer the county's disadvantaged business enterprise (DBE) program; and

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Comptroller

BE IT FURTHER RESOLVED, that the newly created Office of the Comptroller, who serves as an independent officer overseeing all fiscal matters that provides critical analysis, guidance and advice to both the County Executive and County Board, shall identify staffing requirements and resources to policy-makers that enable the Comptroller to be fully engaged, especially during the preparation and adoption of the annual budget; and

Corporation Counsel

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors recognizes and reaffirms State Statute 59.42(2) that states in part:

The corporation counsel shall be appointed by the county executive, with the concurrence of a majority of the board and shall not serve at the pleasure of the county executive. The corporation counsel may be dismissed at any time by the county executive with the concurrence of a majority of the members-elect of the board. The corporation counsel may also be dismissed at any time by a majority vote of the board. If the county executive vetoes an action by the board to dismiss the corporation counsel, the board may override the veto by a two-thirds vote of the members-elect of the board.

; and

Contracting

BE IT FURTHER RESOLVED, that the County Board of Supervisors hereby increases the threshold of professional service contracts requiring County Board approval from \$50,000 to \$100,000; and

BE IT FURTHER RESOLVED, that the Committee on Finance, Personnel and Audit shall have jurisdiction of all professional service contracts unless otherwise prescribed by state or federal law; and

BE IT FURTHER RESOLVED, that if the Committee on Finance, Personnel and Audit has not taken an action on a professional service contract within forty-five (45) days after it was referred to them by the chairperson, then the Comptroller is authorized to act on the contract without County Board approval provided the requestor wishes to do so; and

BE IT FURTHER RESOLVED, that the Comptroller is hereby requested to examine all county contract procedures to determine if additional streamlining and efficiencies could be achieved for contract approvals, while ensuring that proper internal

controls and policy-maker oversight are maintained and present any recommendations to the County Board prior to October 1, 2013 so that any potential changes could be considered as part of the 2014 Adopted Budget; and

BE IT FURTHER RESOLVED, that in addition to the above, the Comptroller is hereby requested to review the efficiency of the County Executive signing or countersigning contracts prior to it being effective; and

BE IT FURTHER RESOLVED, that the County Board, as the policy-making body, maintains policy parameters for contracting and procurement to guide the county in contract negotiations; and

Labor Relations

BE IT FURTHER RESOLVED, that the County Board of Supervisors, upon approval of the related general ordinances, hereby transfers to the County Executive the charge of negotiating all matters arising under ch. 111, Wis. Stats, Employment Relations that are currently vested with the Committee on Finance, Personnel and Audit; and

BE IT FURTHER RESOLVED, that the County Board, who must approve all collective bargaining agreements, shall be responsible for policy oversight and determining the parameters for the county's labor negotiations through the Committee on Finance, Personnel and Audit; and

Governance, Operational and Efficiency Audit

BE IT FURTHER RESOLVED, that File No. 13-155, adopted by the County Board on February 7, 2013, which seeks an independent audit of the county to identify additional efficiencies in areas related to governance and operations of the county, shall have a scope that includes, but is not limited to:

- Identification of appropriate staffing levels
- Identification of the appropriate roles and responsibilities of the branches of government, including county departments
- Identification of organizational best practices
- Additional efficiency measures and recommendations for all branches of government

; and

342 BE IT FURTHER RESOLVED, that the audit shall be completed prior to County
343 Board deliberation of the 2014 County Budget and any additional budget and staff
344 reduction recommendations shall be reflected in the annual budget; and
345

346 BE IT FURTHER RESOLVED, that the County Board commits to working on any
347 long-term recommendations in the audit related to the Office of the County Executive
348 and/or county departments to the extent practicable under state and federal law and
349 governance best practices following a process that allows for public input and, request a
350 mediator to assist, if necessary, in the implementation of any long-term
351 recommendations; and
352

353 BE IT FURTHER RESOLVED, that the County Board shall commit to the
354 adoption of other non-budgetary audit recommendations, to the extent practicable under
355 state and federal law and governance best practices; and
356

357 BE IT FURTHER RESOLVED, that upon adoption of this resolution, County
358 Board staff working in conjunction with appropriate departmental staff shall develop
359 recommended changes to the Milwaukee County General Ordinances to effectuate the
360 policy directions contained in this resolution requiring ordinance revisions and submit
361 them to the County Board of Supervisors as soon as practicable for approval.



OFFICE OF THE COUNTY CLERK

3

JOSEPH J. CZARNEZKI • COUNTY CLERK

MEMO

DATE: May 3, 2013
TO: The Honorable County Board of Supervisors
FROM: Joseph J. Czarnezki, County Clerk
SUBJECT: Vetoed File Returned

The County Executive has returned to my office the following file:

File No. 13-384 – A resolution by Supervisor Lipscomb, Sr. opposing State Assembly Bill 85 (AB 85) and Senate Bill 95 (SB 95).

This resolution was adopted by a vote of 14 ayes – 4 noes at your meeting of April 25, 2013.

The County Executive has vetoed this resolution and attached is a copy of his veto message wherein he states his objection.

This matter is now before your honorable body.

A handwritten signature in black ink, appearing to read "Joseph J. Czarnezki".

Joseph J. Czarnezki, County Clerk



OFFICE OF THE COUNTY EXECUTIVE
Milwaukee County
CHRIS ABELE • COUNTY EXECUTIVE

DATE: May 2, 2013

TO: The Honorable Milwaukee Board of Supervisors

FROM: Chris Abele, Milwaukee County Executive

RE: Veto of County Board File No. 13-384 on a resolution opposing reform of the Milwaukee County Board

I am vetoing County Board File No. 13-384 pursuant to the authority granted to me by Article IV, Section 23(a) of the Wisconsin Constitution and Section 59.17(6) of the Wisconsin Statutes.

The County Board adopted a resolution on April 25, 2013 opposing State Assembly Bill 85 (AB 85) and Senate Bill 95 (SB 95).

I am vetoing this resolution because I do not believe it represents the best interest of the County or the opinions of the majority of the community.

In April of 2012, 30,000 people went to the polls and voted for significant reform of the County Board, reform that is mirrored in AB 85/SB 95. By opposing this legislation, you are opposing the expressed will of the people and preventing voters from having their voices heard on the future of the County Board through a binding referendum.

I support the state legislation because it offers a chance for true reform. It is not about me or anyone else currently in office. The goal is an improved system of governance that, long after we are all gone, consistently produces better results for the people of Milwaukee County.

The current lack of role clarity, through no fault of anyone currently in office, catalyzes an unproductive environment. AB 85/SB 95 clarifies the legislatures' intent, and seeks to ultimately foster better decision-making and long-term thinking.

Some opponents of this reform have tried to say that the legislature shouldn't be acting on a County issue. These contentions misconstrue the role of County government. As an administrative arm of the State of Wisconsin, our role is largely to provide state and federally-mandated services. The State has the ability and authority to ensure that mandated services are provided in the most efficient manner possible.

Some on the Board have tried to say this change will undermine the checks and balances of government. As someone who has fought tirelessly for decades for human rights and civil rights, I would not support something if it compromised: meaningful checks on my role; the Board's proper oversight; or the voters' power to hold their representatives, including me, accountable. The voters and the state will continue to hold all of us accountable and the Board will retain its rightful oversight and policy setting role. Under the bill, the Board will still amend and approve the budget, the Board will still set policy that must be followed, and the Board will still actively approve medium and large sized contracts.

What the County needs is clarity so that we can become a high-performing organization that makes our community and our State proud.

I ask the Board to support this veto.

Supervisor Theodore Lipscomb, Sr., Chairperson, *Bowen Co-Sponsor*
From the Committee on Intergovernmental Relations, reporting on:

APR 25 2013

File No. 13-384

ADOPTED

(ITEM) A resolution opposing State Assembly Bill 85 (AB 85) and Senate Bill 95 (SB 95), by recommending adoption of the following:

A RESOLUTION

WHEREAS, State Assembly Bill 85 (AB 85) and Senate Bill 95 (SB 95) propose a number of changes to the governance structure of Milwaukee County; and

WHEREAS, according to language in AB 85, the following changes would occur: changes related to the compensation structure by which a Milwaukee County Supervisor may be paid; changes the term length of a Milwaukee County Supervisor; limits the authority of Milwaukee County to enter into certain intergovernmental agreements; removes or transfers certain authorities of the Milwaukee County Board while increasing certain authorities of the Milwaukee County Executive and requires a binding referendum; and

WHEREAS, the aforementioned changes limit the County Board in its authority, transfers some of the Board's current authority to the County Executive, and eliminates or modifies an existing authority or condition all together; and

WHEREAS, one of the premises of the United States Constitution, and American government in general, is the system of checks and balances, also known as the separation of powers; and

WHEREAS, in this system, the government was to be divided into three branches, each having particular powers; and

WHEREAS, these three branches are: the legislative branch that makes laws and policies; the executive branch that enforces and carries out the laws and policies created by the legislative branch; and the judicial branch that interprets laws; and

WHEREAS, not only does each branch of government have particular powers, each branch has certain powers over the other branches; and

WHEREAS, this was intended to keep the three branches in balance and prevent any one branch from ever gaining too much power and/or abusing its power; and

WHEREAS, the shift of authority proposed on AB 85 and SB 95 for Milwaukee County strengthens the County Executive's authority, while greatly diminishing the County Boards' authority; and

Kirker
CORPORATION COUNCIL

46
47 WHEREAS, while Milwaukee County is an arm of the State, Wisconsin State Statutes
48 grant home rule authority on self-governing to all counties; and
49

50 WHEREAS, it is reasonable and prudent that changes to the structure and operation
51 of Milwaukee County government should be discussed and advanced locally, rather than
52 advanced solely by the State without consent or agreement by the County; now, therefore,
53

54 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby expresses its
55 opposition to the passage of State Assembly Bill 85 (AB 85) and Senate Bill 95 (SB 95); and
56

57 BE IT FURTHER RESOLVED, Intergovernmental Relations staff is authorized and
58 directed to express Milwaukee County's opposition of AB 85 and SB 95 in conformance
59 with Chapter 1, Section 1.25(4) of Milwaukee County General Ordinances; and
60

61 BE IT FURTHER RESOLVED, that upon adoption of this resolution, the Milwaukee
62 County Clerk is authorized and directed to send copies of this resolution to the Governor
63 of Wisconsin, Milwaukee State Delegation and State Assembly and Senate members.
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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: April 12, 2013

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: A resolution expressing opposition to State Assembly Bill 85 and Senate Bill 95.

FISCAL EFFECT:

☐ No Direct County Fiscal Impact
Expenditures

☐ Increase Capital

☐ Existing Staff Time Required

☐ Decrease Capital

Expenditures

☐ Increase Operating Expenditures
(If checked, check one of two boxes below)

☐ Increase Capital

Revenues

☐ Absorbed Within Agency's Budget
Revenues

☐ Decrease Capital

☐ Not Absorbed Within Agency's Budget

☐ Decrease Operating Expenditures

☐ Use of contingent funds

☐ Increase Operating Revenues

☐ 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

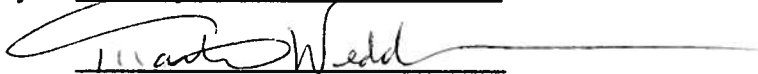
In the space below, you must provide the following information. Attach additional pages if necessary.

- 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. A resolution expressing opposition to State Assembly Bill 85 and Senate Bill 95.
- B. N/A
- C. N/A
- D. No assumptions made.

Department/Prepared By County Board/M. Weddle

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.

16R 13-384
Referred

APR 16 2013

1 By Supervisor Lipscomb

2
3
4 **A RESOLUTION**

**County Board
Chair**

5 Opposing State Assembly Bill 85 (AB 85) and Senate Bill 95 (SB 95).
6

7 WHEREAS, State Assembly Bill 85 and Senate Bill 95 propose a number
8 of changes to the governance structure of Milwaukee County; and
9

10 WHEREAS, according to language in State 2013 Assembly Bill 85, the
11 following changes would occur: changes related to the compensation structure
12 by which a Milwaukee County Supervisor may be paid; changes the term length
13 of a Milwaukee County Supervisor; limits the authority of Milwaukee County to
14 enter into certain intergovernmental agreements; removes or transfers certain
15 authorities of the Milwaukee County Board while increasing certain authorities of
16 the Milwaukee County Executive and requires a binding referendum; and
17

18 WHEREAS, the aforementioned changes limit the county board in its
19 authority, transfers some of the board's current authority to the county executive,
20 and eliminates or modifies an existing authority or condition all together; and
21

22 WHEREAS, one of the premises of the United States Constitution, and
23 American government in general, is the system of checks and balances, also
24 known as the separation of powers; and
25

26 WHEREAS, in this system, the government was to be divided into three
27 branches, each having particular powers; and
28

29 WHEREAS, these three branches are: the legislative branch that makes
30 laws and policies; the executive branch that enforces and carries out the laws
31 and policies created by the legislative branch and the judicial branch that
32 interprets laws; and
33

34 WHEREAS, not only does each branch of the government have particular
35 powers, each branch has certain powers over the other branches; and
36

37 WHEREAS, this was intended to keep the three branches in balance and
38 prevent any one branch from ever gaining too much power and/or abusing its
39 power; and
40

41 WHEREAS, the shift of authority proposed on AB 85 & SB 95 for
42 Milwaukee County strengthens the county executive's authority, while greatly
43 diminishing the county boards' authority; and
44
45
46

47 WHEREAS, while Milwaukee County is an arm of the State, Wisconsin
48 State Statutes grant home rule authority on self-governing to all counties; and
49

50 WHEREAS, it is reasonable and prudent that changes to the structure
51 and operation of Milwaukee County government should be discussed and
52 advanced locally, rather than advanced solely by the State without consent or
53 agreement by the County, now, therefore
54

55 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby
56 expresses its opposition to the passage of State Assembly Bill 85 (AB 85) and
57 Senate Bill 95 (SB 95); and
58

59 BE IT FURTHER RESOLVED, Intergovernmental Relations staff is
60 authorized and directed to express Milwaukee County's opposition of AB 85 &
61 SB 95 in conformance with Chapter 1, Section 1.25(4) of Milwaukee County
62 General Ordinances; and
63

64 BE IT FURTHER RESOLVED, that upon adoption of this resolution, the
65 Milwaukee County Clerk is authorized and directed to send copies of this
66 resolution to the Governor of Wisconsin, Milwaukee State Delegation and State
67 Assembly and Senate members.
68