



MILWAUKEE POLICE DEPARTMENT Intelligence Fusion Center

ShotSpotter Program Progress Report

Legislative Activity

On January 31, 2014, Assembly Bill (AB) 693 that provides funding for the expansion of the ShotSpotter program was introduced into the Wisconsin State Legislature.

On February 12, 2014, Captain David Salazar, Officer James Mc Nichol, and Paulina De Haan appeared before the Assembly Committee on Criminal Justice and provided testimony. The hearing concluded and the Committee unanimously voted to move the bill to the Assembly floor for a session vote.

On February 18, 2014, the Assembly voted and AB 693 passed to the Senate.

On March 18, 2014, the Senate Committee on Transportation, Public Safety, and Veterans and Military Affairs unanimously voted to move the bill to the Senate floor for a session vote. The Senate floor session vote is scheduled for April 1, 2014.

ShotSpotter Program Notes

IFC analysis of SST data revealed that for January and February 2013 SST recorded 362 incidents of gunfire in the coverage area. For the same two-month timeframe in 2014 SST recorded 319 incidents of gunfire in the coverage area. This accounts for a 12% reduction in gunfire incidents.

IFC has developed a law enforcement sensitive 21-day analysis report that is being disseminated to the Department personnel.

IFC completed an analysis of 2010-2013 firearms related incidents that was submitted to the Office of Management, Analysis, and Planning for the expansion of the ShotSpotter program.

***This report referenced data pulled from the ShotSpotter Investigator Portal on March 20, 2014.**

COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

Date: March 26, 2014

To: Supervisor Theo Lipscomb, Chairman
Judiciary, Safety and General Services Committee

From: Don Tyler, Director, Department of Administrative Services 

Subject: Status Update Regarding the Courthouse Fire
For Information Only

BACKGROUND

As a follow up to the February, 2014 Judiciary, Safety and General Services Committee informational update on the Courthouse fire, the committee requested a follow up informational report. Specifically, members of the committee wanted to continue to receive an update regarding the status of the restoration work, a schedule of equipment being installed as part of the Phase II of the electrical reconstruction, the status of insurance fund cause and origin investigation.

UPDATE

Phase II Restoration Work Continues

As you recall, at the last Committee meeting we informed you that we had established permanent power into the core electrical power plant for the Courthouse Complex. We also noted that the next phase of the effort is to work on the distribution of the power throughout the complex. This "Phase II" effort includes the inspecting, repairing and replacing of transformers and other electrical equipment.

As the Phase II effort continues, County staff continues to work closely with the Local Government Property Insurance Fund ("Fund"), the Fund's claims adjustor and various contractors to determine which equipment needs servicing, repair or replacement. A comprehensive list of equipment is being prepared to guide this work team through Phase II. As of the date of this report the list is not complete enough to attach; however, we are hopeful that it will be in a form to provide to you at the Committee meeting. As of Thursday, March 27, transformers USS1 and USS2 are being delivered on site and preparations are being made to replace Courthouse emergency generator.

On the good news front, the restoration work has moved forward significantly enough to where we have been able to open up the 10th Street entrance to those staff and elected officials with IDs and parking access to the Annex Parking Lot. The tunnel remains closed due to adjacent ongoing construction and it will be likely that the 10th Street

entrance will have to close from time to time due to the movement of heavy equipment in the area.

We continue to work with the City of Milwaukee to get the appropriate approvals to open it up to regular traffic. We hope to have some success on this front in the coming weeks.

Finally, over the next several weeks we will be rolling out our new energy guidelines for all Courthouse Complex tenants to abide by when we have the restoration process completed.

Cause and Origin Investigation and Reservation of Rights Letter

As noted at the previous committee meeting, the completion of the cause and origin investigations drives the withdrawal of the Insurance Fund's Reservation of Rights letter. All evidence related to the cause and origin investigation has been removed from the Courthouse Complex. The Fund's investigation is in the final phase of completion.

As reported before, the Fund's initial conclusion is that a fire occurred in a capacitor located in the Courthouse basement. Much of the smoke damage was due to the burning of the oil within the capacitor. We continue to wait for the Fund to complete their investigation in anticipation of the release of the Reservation of Rights letter.

We hope to provide you with a more comprehensive update at Committee date.

cc: County Executive Chris Abele
County Board Chair Marina Dimitrijevic
Amber Moreen, Chief of Staff, County Executive's Office
Kelly Bablitch, Chief of Staff, County Board of Supervisors
Raisa Koltun, Director Legislative Affairs, Co Exec's Ofc



Community Business Development Partners

MILWAUKEE COUNTY

Rick Norris, PE, Director, DBE Liaison Officer, ACDBE Liaison Officer

COUNTY OF MILWAUKEE

INTEROFFICE COMMUNICATION

Date: March 27, 2014

To: Supervisor Theo Lipscomb, Chair, Judiciary, Safety & General Services
Committee Supervisor Mark Borkowski, Vice Chair, Judiciary, Safety & General Services Committee

From: Rick Norris, PE, Director, Community Business Development Partners

Subject: Status of the Minority Impact Statement (MIS) Ordinance
For Information Only

BACKGROUND

File No. 14-92, a resolution by Supervisors Rainey, Broderick, Johnson, Jr., and Stamper II to develop a Minority Impact Statement Ordinance for all Milwaukee County resolutions, contracts and grants greater than \$300,000 was approved by the Board in February 2014.

The resolution directed the Director of CDBP, working in conjunction with Corporation Counsel, to develop and recommend an ordinance and related procedures to formally implement the MIS for consideration by the County Board no later than the March 2014 meeting cycle.

UPDATE

The recently hired CDBP Director, Rick Norris met with Corporation Counsel and the Director of Economic Development in an effort to better understand the purpose and scope of the effort. Subsequently, the Director of Economic Development met with Supervisor Rainey to seek guidance and clarity regarding purpose and scope. An additional meeting was held with Supervisor Rainey, Corporation Counsel, Director of Administrative Services, Director of CDBP and the Director of Economic Development. From that meeting there came a framework of an action plan that the Economic Development Director and the Director of CDBP would work on a recommendation to present to Supervisor Rainey to receive input prior to the drafting of a recommended ordinance by Corporation Counsel to present to the Board.

The CDBP Director and Corporation Counsel would be pleased to provide a verbal update at the April Committee Meeting.

Approved by:

Rick Norris, PE
Director, CDBP

cc: County Executive Chris Abele
Paul Bargren, Corporation Counsel
Amber Moreen, Chief of Staff, County Executive's Office
Kelly Bablitch, Chief of Staff, County Board of Supervisors



Office of the Sheriff

David A. Clarke Jr.
Sheriff

DATE: March 4, 2014

TO: Supervisor Marina Dimitrijevic, Chairwoman, Milwaukee County Board of Supervisors

FROM: Richard R. Schmidt, Inspector, Office of the Sheriff, Milwaukee County

SUBJECT: Request to accept State of Wisconsin Department of Transportation grant for 2014 Alcohol Enforcement program in the amount of \$91,327 for the Office of the Sheriff.

REQUEST

The Sheriff of Milwaukee County requests authority to accept grant funding of \$91,327 from the State of Wisconsin Department of Transportation for an Alcohol Enforcement 2014 program.

BACKGROUND

Alcohol-impaired Driving: In Wisconsin during 2012 alcohol was listed as a contributing factor in 4.6% of all crashes. 37.1% of all vehicle crash fatalities in 2012 were alcohol-related, resulting in 221 deaths. Alcohol-impaired driving is associated with other high-risk behaviors that increase the likelihood of a crash and of significant injury or death occurring; these include speeding, and failure to wear safety belts.

Enforcement Area (Targeting): WisDOT analysis has identified roadway segments patrolled by this agency as 'at-risk'. All alcohol and speed-related crash data from the three previous years for every jurisdiction in Wisconsin were analyzed, including those involving property damage through all ranges of injuries to those that resulted in death. These data were scientifically weighted following established statistical protocol. Using this weighted data, the Bureau identified those places in Wisconsin with the largest crash frequency due to excess alcohol use or speed. After factoring in each identified, at-risk location's population density, a snapshot of the state's most likely places for similar crashes per capita was established.

This grant has the following objectives:

1. To adopt a zero tolerance policy for impaired driving during all motor vehicle stops.
2. To adopt a zero tolerance policy for unrestrained occupants during all motor vehicle stops.
3. During past deployments, Grantees have typically initiated a recorded traffic stop every 45 minutes. To maintain or exceed historical activity levels during grant-funded activity Grantee will, on average, initiate a recorded traffic stop every 45 minutes.

Service to the Community Since 1835

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414-278-4766 • <http://www.mksheriff.org>

4. During past grant-funded deployments, Grantees typically maintained an agency ratio of three citations to one written warning.
5. To make contacts with local media, community groups or other groups to increase public awareness of information related to seatbelt related crashes, and subsequent enforcement efforts a minimum of once during every quarter of grant approval. Creating partnerships with community groups, public and private, to enforce public awareness of this campaign.

Mandatory deployment dates are:

1. December 7-16, 2013 (Booze and Belts)
2. March 4-20, 2014 (St. Patrick's Day)
3. May 20-June 2, 2014 (CIOT National Mobilization)
4. July 1-7, 2014 (Summer Heat)
5. Aug 16-Sep 2, 2014 (Alcohol Crackdown)

The grant period is from October 1, 2013 until September 30, 2014. It is anticipated that there will be 101 specific deployments with three officers per deployment at four hours per officer for a total of 1,212 enforcement hours plus additional deployment hours of 420 for a total of 1,632. Payment is based on an average overtime/fringe hourly rate of \$53.01 per hour. Grant funds also include equipment expenditure authority of \$4,815 for 5,000 Personal Breathalyzer Testing Tubes and 7 Personal Breathalyzers Testing Units. The grant requires a local match of 25% on salary and equipment expenses of \$91,327 bringing the total project funding to \$114,159. The match requires NO additional budget funds.

FISCAL NOTE

Grant funds total \$91,327 with a 25% local match required of \$22,832 bringing the total project funding to \$114,159. All funding will be used for wages and fringe benefits and authorized equipment purchases.

Richard R. Schmidt, Inspector
Milwaukee County Office of the Sheriff

cc: Chris Abele, County Executive
Supervisor Theodore Lipscomb, Sr. Chair, Judiciary, Safety & General Services Committee
Kelly Bablitch, Chief of Staff
Alexis Gassenhuber, Committee Clerk
Jessica Janz-McKnight, Research Analyst

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(ITEM) From the Sheriff requesting to apply for and accept a State of Wisconsin Department of Transportation grant for a 2014 Alcohol Enforcement program grant in the amount of \$91,327:

A RESOLUTION

WHEREAS, the State of Wisconsin Department of Transportation has identified roadway segments patrolled by Milwaukee County as 'at-risk'; and

WHEREAS, based upon this analysis, the State of Wisconsin Department of Transportation identified those places in Wisconsin with the largest crash frequency due to excess alcohol use or speed; and

WHEREAS, the State of Wisconsin Department of Transportation has awarded the Milwaukee County Sheriff a 2014 Alcohol Enforcement program grant: and

WHEREAS, the grant period is from October 1, 2013 until September 30, 2014 and it is anticipated that there will be 101 mandated deployments and other deployments for a total of 1,632 enforcement hours; and

WHEREAS, payment is based on an average overtime/fringe hourly rate of \$53.01 per hour and equipment expenditure authority of \$4,815 for seven (7) Personal Breathalyzer Test units and 5,000 Personal Breathalyzer Test tubes, the grant requires a local match on salary and equipment expenses of 25% or \$22,832 bringing the total project funding to \$114,159; now, therefore,

BE IT RESOLVED, the Office of the Sheriff is hereby authorized to apply for and accept State of Wisconsin Department of Transportation grant for a 2014 Alcohol Enforcement program grant in the amount of \$91,327.

FISCAL NOTE

Grant funds total \$91,327 with a 25% local match required which is \$22,832 bringing the total project funding to \$114,159.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 03/04/14

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: The Sheriff of Milwaukee County requests the authority to accept grant funding of \$91,327 from the State of Wisconsin Department of Transportation for a 2014 Alcohol Enforcement program.

FISCAL EFFECT:

No Direct County Fiscal Impact Increase Capital Expenditures

Existing Staff Time Required Decrease Capital Expenditures

X Increase Operating Expenditures (If checked, check one of two boxes below) Increase Capital Revenues

Absorbed Within Agency's Budget Decrease Capital Revenues

Not Absorbed Within Agency's Budget

Decrease Operating Expenditures Use of contingent funds

X 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	\$91,327	
	Revenue	\$91,327	
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

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

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

The Sheriff of Milwaukee County is requesting the authority to accept grant funding from the State of Wisconsin Department of Transportation for a 2014 Alcohol Enforcement program in the amount of \$91,327. Grant funds total \$91,327 with a 25% local match which is \$22,832 bringing the total program funding to \$114,159. The Office of the Sheriff has existing budgeted salary and equipment funds to provide for the required match.

Department/Prepared By William R. Lethlean, Public Safety Fiscal Administrator

Authorized Signature _____

Did DAS-Fiscal Staff Review? Yes No

Did CDBP 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.

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

Organization: MILWAUKEE CO SO

FG-2014-MILWAUKE-01974

Proposed Project Title: ALCOHOL ENFORCEMENT**Type of Municipality:** County**Applicant Agency/County:** Milwaukee County**Enforcement Area:** Milwaukee County**Agency Federal Employer ID (FEIN):** 39-600572**DUNS Number** 08-792-8113**Agency Head or Authorizing Official****First Name:** David**Last Name:** Clarke**Title:** Sheriff**Address:** 821 W. State St**City:** Milwaukee**State:** Wisconsin**Zip Code:** 53233**Project Coordinator****First Name:** Charles**Last Name:** Stowers**Title:** Sergeant**Address:** 821 W. State St**City:** Milwaukee**State:** Wisconsin**Zip Code:** 53233**Phone:** 4144544090**Fax:** 4144544083**E-mail Address:** charles.stowers@milwcnty.com

Organization: MILWAUKEE CO SO

FG-2014-MILWAUKE-01974

Alcohol-impaired Driving: In Wisconsin during 2012 alcohol was listed as a contributing factor in 4.6% of all crashes. 37.1% of all vehicle crash fatalities in 2012 were alcohol-related, resulting in 221 deaths. Alcohol-impaired driving is associated with other high-risk behaviors that increase the likelihood of a crash and of significant injury or death occurring; these include speeding, and failure to wear safety belts.

Enforcement Area (Targeting): WisDOT analysis has identified roadway segments patrolled by this agency as 'at-risk'. All alcohol and speed-related crash data from the three previous years for every jurisdiction in Wisconsin were analyzed, including those involving property damage through all ranges of injuries to those that resulted in death. These data were scientifically weighted, following established statistical protocol. Using the weighted data, the Bureau identified those places in Wisconsin with the largest crash frequency due to excess alcohol use or speed. After factoring in each identified, at-risk location's population density, a snapshot of the state's most likely places for similar crashes per capita was established. *Source: BOTS Analysis*

For Alcohol Enforcement Grantees, Enforcement reimbursed with NHTSA Grant Funds must take place between the hours of 6:00P and 4:30A (Data is preliminary).

Additional Justification

This grant is for the full Fiscal Year 2014. The grant is for \$100,000.00.

I agree to the terms and conditions above.

1. To adopt a zero tolerance policy for impaired driving during all motor vehicle stops.
Evaluation: Activity Report - Citations

2. To adopt a zero tolerance policy for unrestrained occupants during all motor vehicle stops.
Evaluation: Activity Report - Citations

3. During past deployments, Grantees have typically initiated a recorded traffic stop about every 45 minutes. To maintain or exceed historical activity levels during grant-funded activity Grantee will, on average, initiate a recorded traffic stop every 45 minutes.
Evaluation: Activity Report - Contacts

4. During past grant-funded deployments, Grantees typically maintain an agency ratio of three citations to one written warning.
Evaluation: Activity Report - Citations/Warnings

5. To make contacts with local media, community groups or other groups to increase public awareness of information related to crashes, and subsequent enforcement efforts. This should be done a minimum of once during every quarter of grant approval. Creating partnerships with public and private community groups to enforce public awareness of this campaign is strongly encouraged.

An Agency's failure to meet project Objectives may affect their consideration for future grant awards.

Objectives/Evaluation

To effectively provide enhanced enforcement for Impaired Motor Vehicle Operators in Milwaukee County. The targeted area will mainly be the Milwaukee County Freeway System.

I agree to the terms and conditions above.

All policies listed below should be made available to the Bureau of Transportation Safety upon request.

1. Biased-Based Policing Policy:

Grantee agency certifies that it has a written departmental policy on biased based policing or that it will initiate development of one during the grant period.

2. IACP Pursuit Policy:

Grantee agency certifies that it has a written departmental policy on pursuits that is in compliance with the IACP's policy, or that it will initiate development of one during the grant period.

3. Fatal Crash Driver BAC Testing Policy:

Grantee agency certifies that it has a written departmental policy on the BAC testing of all drivers involved in alcohol-related, fatal vehicle crashes, or that it will initiate one during the grant period. Currently all killed drivers in fatal crashes are required to be tested under s.346.71 (2). Surviving drivers involved in fatal crashes can be tested if there exists probable cause to suspect drug / alcohol impairment [s.343.305 (3) (a) and (am)], the driver is operating a CMV (FMCSR 382.303), or if conditions exist that are pursuant to Act 413 [343.305 (3) (ar)]. Agencies will encourage all surviving drivers to willingly submit to a BAC test regardless of circumstance.

4. Fleet Safety Belt Use Policy:

Grantee agency certifies that it has a written departmental policy on the use of safety belts by employees, or that it will initiate development of one during the grant period.

5. Title VI Compliance:

Grantee must comply with Title VI of the Civil Rights Act of 1964 and Presidential Executive Order 13166 regarding language access and "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons".

6. Additional Requirements

I agree to the terms and conditions above.

Federal Grant Period:

Grant activities are funded for one federal fiscal year. Funded fiscal year 2014 activities may begin no earlier than October 1, 2013 and end no later than September 30, 2014.

1. Work Plan /Calendar:

The Work Plan/Calendar contained within this contract is a term of the contract. It describes timing and level of enforcement activity. At a minimum, during the term of this contract:

A. Grantee will implement at least one deployment each month within the specified grant period as planned in the Work Plan/Calendar.

The Agencies must participate in Highly Visible Enforcement (HVE) saturation patrols during the timeframes listed below if within specified grant period. HVE saturation patrols must be in high risk locations, supported by publicity and may be a collaborative effort with other LEAs.

- December 7th – 16th, 2012 (Booze and Belts)
- March 4th – 20th, 2013 (St Patrick's Day)
- May 20th – June 2nd, 2013 (CIOT National Mobilization – minimum of 4 deployments)
- July 1st – 17th, 2013 (Summer Heat)
- Aug 18th – Sept 2nd, 2013 (Alcohol Crackdown – minimum of 4 deployments)

NOTE:

During CIOT. Grantees will schedule a minimum of 50% of the hours of enforcement at night during each of the four (4) mandatory deployments, with a minimum of 4-hour shifts.

NHTSA Grant Funds dictate that during Alcohol Enforcement, Grantees must perform enforcement during the hours of 6:00pm and 4:30am.

If grantee cannot perform the planned patrols, BOTS must be notified. Failure to perform planned activity may be considered grounds for terminating the grant.

2. Work Plan Amendments:

If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval. Amendments will not be considered after July 1 of the fiscal year during which the project is commenced.

WORK PLAN/CALENDAR

Month	Enforcement Type	(A) Deployments	(B) Hours per Deployment	(C) Officers per Deployment	(D) Total Officer Hours (AxB)xC = D
October	Saturation/HVE	4	4	3	48
November	Saturation/HVE	8	4	3	96
December	Booze & Belts HVE	8	4	3	96

Organization: MILWAUKEE CO SO

	OTHER	1	4	20	80
January	Saturation/HVE	8	4	3	96
February	Saturation/HVE	8	4	3	96
March	St. Patrick's HVE	1	4	30	120
	OTHER	8	4	3	96
April	Saturation/HVE	8	4	3	96
May	CIOT HVE	8	4	3	96
	OTHER	1	4	20	80
June	CIOT HVE	10	4	3	120
	OTHER				0
July	Summer Heat HVE	10	4	3	120
	OTHER	1	4	30	120
August	Alcohol Crackdown HVE	8	4	3	96
	OTHER				0
September	Alcohol Crackdown HVE	8	4	3	96
	OTHER	1	4	20	80
TOTAL		101	68	155	1632

WORK PLAN ITEMS - Required:

1. Saturation Patrols and Sustained Enforcement Deployments:

Grantee will assign only sworn, SFST-trained officers in patrols. Part-time officers may be assigned only if the grant funded activity and their resulting weekly total hours do not exceed 39 hours.

2. Total Hours: Grantee agrees to implement 101 deployments for a total of 1632 enforcement hours.

3. Grant Reimbursable Hours & Rate: Grantee's estimate of funded reimbursable hours is based upon an estimated average hourly wage/fringe rate of \$53.01

4. State / National Mobilization Activity/Crackdown Reports: Grantee will complete the Activity Reports and submit them to the Grantor no later than the 15th of the month following the mobilization:

- "Booze & Belts Mobilization Activity Report due by Jan 15.
- "St Patrick's Day Mobilization Activity Report due by Mar 15.
- "Click It or Ticker" Safety Belt Mobilization Activity Report due by June 15.
- "Summer Heat" Mobilization Activity Report due by July 15.
- Alcohol Crackdown Activity Report due by Sept 15.

5. Additional Items:

I agree to the terms and conditions above.

1. Budget Plan:

The Budget spreadsheet within this contract is a term of the contract. Eligible cost items for this project include: Wage, Fringe, Low-cost Equipment and High-cost Equipment. Grantee must complete the Federal Share AND Estimated Local Match columns.

2. Equipment Purchase:

The Equipment Purchase Form within this contract is a term of this contract, if either High-cost or Low-cost Equipment is purchased. "High-cost" Equipment is defined in the General Terms; other equipment is considered 'low-cost'.

3. Budget/Equipment Amendments:

If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval.

Amendments will not be considered after July 1st of the fiscal year during which the project is commenced.

Budget

Item	Federal Grant	Local Match	Totals
Wage/Fringe	\$86,512.32	\$22,831.83	\$109,344.15
Travel/Mileage	Ineligible		\$0
Training	Ineligible		\$0
Contractual Services	Ineligible		\$0
Equipment	\$4,815.00	\$0	\$4,815.00
Materials & Supplies	Ineligible		\$0
Other	Ineligible		\$0
Total	\$91,327.32	\$22,831.83	\$114,159.15

1. Relationship to work plan:

All budget items must relate to activities described in the Work Plan. Reimbursement will be based on actual costs, NOT budgeted rates. Only project activities and expenses described in the approved work plan and budget, incurred during the grant period, are eligible for reimbursement. Expenses incurred that are not specified in the budget or work plan will not be reimbursed.

2. Document Requirements:

Grantee will document hours, wage and fringe rate, and all match costs. Fringe benefit shall be actual costs. Payment for salaries and wages shall be supported by a time and attendance report, or equivalent records, which shall be kept on file at the agency for three years from the date the project closes. Grantor reserves the right to perform monitoring activities, to include ongoing review and audit of department records.

3. Match Requirements:

A local match of at least 25% of the grant total is required. The match budget line may consist of estimates of program match.

Equipment Purchase

Item	Federal Grant	Local Match	Totals
5000 PBT Tubes	\$1,000.00		\$1,000.00
7 PBT's Units	\$3,815.00		\$3,815.00
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
Total	\$4,815.00	\$0	\$4,815.00

4. Equipment Requirements:

Grantee must specify make, model, quantity and purchase price of each type of equipment to be purchased.

No more than one-half (50% Rule) of the grant funds may be allocated to equipment, not to exceed \$4,999.00. If equipment costs exceed the cap of \$ 4,999.00, NHTSA approval would need to be obtained prior to purchase, and any amount in excess of \$4,999.00 would be Local Match. Grantor will mark the equipment and maintain a proprietary interest until the total equipment value falls below \$4,999.00.

Note: The 50% Rule relates to reimbursed grant funds, not to the initial grant award.

For example: The Grantee receives a grant of \$10,000.00 and budgets \$5,001.00 for Wage and Fringe and \$4,999.00 for Equipment. The Grantee utilizes only \$2,500.00 for Wage and Fringe. Then, the total grant amount is reduced to \$5,000.00, of which no more than 50%, or \$2,500.00 (not \$4,999.00) can be used to purchase said equipment.

Important!

While equipment may be ordered/purchased once the Grant is approved by BOTS, actual reimbursement for said equipment will not occur until grantee has worked the minimum hours needed to insure that the 50% rule is met.

For example: An Agency budgets \$15,000.00 for enforcement and \$4,500.00 for Equipment, \$4,500.00 in Enforcement must take place before the equipment purchase will be reimbursed.

Grantor reserves the right to monitor the use of all equipment purchased using Highway Safety Funds.

Grantee will make the equipment available for viewing by grantor upon notice.

Approved Equipment:

Alcohol/drug-testing, and alcohol enforcement devices must comply with standards and specifications established by NHTSA or other nationally recognized standard-setting agencies.

NOTE: No equipment will be allowed on Seat Belt Enforcement Grants.

NHTSA Guidelines do not allow the purchase of Speed Enforcement Equipment with Alcohol Grant Funds

5. Signatures:

The signature of agency head or authorizing official must be emailed to DOTsafetygrants@dot.wi.gov. An electronic grant submission through the WISE-Grants System will initiate the grant approval process, but no reimbursement will be made until the signature page is received.

I agree to the terms and conditions above.

Forms: Forms will only be accepted through the WISE-Grants. Questions about grant submissions should be referred to either the State Program Manager, or the Regional Program Manager.

1. Project Match Report:

Grantee will complete the Final Project Match Report form provided by Grantor AFTER all project activity is complete, but no later than November 1st of the fiscal year during which the project is commenced.

2. Earned Media Event Documentation:

Documentation (hard-copy, faxed and/or electronic copies of media materials) of each earned media event must be submitted to BOTS. An electronic link to a print article, news online or other format is acceptable documentation.

3. Place of Delivery:

All Electronic Project Deliverables shall be submitted via the WISE-Grants System

Signature Pages shall be e-mailed to DOTsafetygrants@dot.wi.us

Questions about the Traffic Safety Program or this project should be addressed to the State Program Manager or the Regional Program Manager.

Mailing Address:

Wisconsin State Patrol, BOTS

P.O. Box 7936

MADISON, WI 53707-7936

FAX: (608) 267-0441

Additional Deliverables:

I agree to the terms and conditions above.

This Grant Agreement ("Agreement"), entered into by and between the Bureau of Transportation Safety ("BOTS") and MILWAUKEE COUNTY SHERIFFS OFFICE ("Grantee"), is executed pursuant to terms that follow.

1. Purpose of this Agreement

The Bureau of Transportation Safety, housed within the Wisconsin Department of Transportation's Division of State Patrol, serves as the administering agency for state and federal grants relating to transportation safety. The purpose of this Agreement is to enable BOTS to award grant funding to Grantee for eligible costs of the Grant Project ("Grant") undertaken as outlined in the project narrative and work plan. The funds shall be used exclusively in accordance with the provisions of this Agreement, as well as applicable federal and state laws and regulations.

2. Term

Work conducted under this Grant must occur within the federal fiscal year: October 1 to September 30. This Agreement expires September 30 of the fiscal year during which the Grant is conducted.

3. Implementation

Grantee shall be solely responsible for the design and implementation of the Grant as described in the project narrative and work plan. Grantee agrees to conduct the Grant in accordance with these plans as approved by BOTS.

Modification of the Grant shall require prior approval of BOTS. Any change in project coordinator, financial officer, authorizing official, addresses, or telephone numbers requires written notification to BOTS. If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval. Amendments will not be considered after July 1 of the fiscal year during which the project is commenced.

Failure to perform planned activity may be considered grounds for termination of funding.

4. Audit and Maintenance of Records

Grantee government subdivisions are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-8507) and revised OMB Circular A-133. If grantee government subdivision is subject to an AB-133 audit, BOTS must be notified of the audit and subsequent results. BOTS may take corrective action within six months and may require independent auditors to have access to grantee's records and financial statements. Note: Circular A-133 may be obtained by contacting the Financial Standards and Reporting Branch, Office of the Federal Financial Management, Office of Management and Budget, Washington, DC 20503, telephone, (202) 395-3993.

Documentation of costs shall be maintained for three years following final reimbursement. Reimbursement claim cost detail shall include a list of all personnel whose time is claimed; current billing period and year-to-date wages and fringe benefits paid to each person listed; all travel listed individually and broken out by transportation/mileage, meals, lodging, and related costs; all materials and supplies and contractual services, itemized, required to complete project activity. Employee time records for actual hours worked or percent of time dedicated to project activity are to be maintained by Grantee and made available to BOTS upon request with reasonable notice. Each budget item identified as "Other" shall be claimed separately.

5. Monitoring by the State

Grantee consents to monitoring by BOTS staff to ensure compliance with applicable state and federal regulations. Monitoring may occur on-site and will require access to original versions of employee payroll information, citations, and other materials related to

the implementation of this grant.

6. Payment of Funds by the State

All highway safety projects are funded on a cost reimbursement basis. State or local funds shall be expended before federal reimbursement is made.

BOTS shall reimburse Grantee only for the actual hours worked, and for other eligible costs, and only if the costs are incurred in performing tasks identified in the Project Narrative or Work Plan. Personnel costs shall be reimbursed on the basis of hourly salary and fringe rate(s) that have been verified and approved by BOTS, or on the basis of percentage of annual salary and fringe dedicated to project activity as described in the Project Narrative or Work Plan. All expenses for which Grantee seeks reimbursement must be documented in Project Activity Reports.

7. Equipment

Tangible, non-expendable personal property having an acquisition cost of \$5,000 or more, with a useful life of greater than two years, that is purchased in whole or in part by Grantee using funds awarded as part of this Agreement must be justified in the project narrative or work plan and approved by the NHTSA Regional Office in writing. Each item shall be tagged, inventoried, and monitored until the federal interest is released.

Tangible, non-expendable personal property having an acquisition cost of less than \$5,000, and budgeted as materials and supplies, will also be monitored. Grantee must inform BOTS when equipment is no longer used for the purpose for which it was acquired.

8. Print and Audio Visual Materials

Grantee shall submit all materials developed under this Agreement to BOTS for approval of content and style prior to final production and release. All video materials intended for general public viewing must be close-captioned. Grantee shall credit the Wisconsin Department of Transportation Bureau of Transportation Safety and the National Highway Traffic Safety Administration on all such materials. Grantee may not copyright any portion of materials produced under this Agreement.

9. Program Income

Program income is gross income derived by Grantee from grant-supported activities. Grantee will report program income on reimbursement claims, stating whether the income is retained or credited as a reduction in federal share of project expenditures. If retained, such income may be used only for highway safety activities and is subject to audit by BOTS.

10. Additional Requirements Where Funds Are Expended on Law Enforcement

Grantee agency certifies that it has a written departmental policy on biased based policing, or that it will initiate development of one during the grant period.

A. Grantee agency certifies that it has a written departmental policy on pursuits or that it will initiate development of one during the grant period. The policy should conform to the guidelines of IACP or a similar pursuit policy.

B. Grantee agency certifies that it has a written departmental policy on the BAC testing of all drivers involved in fatal vehicle crashes involving alcohol, or that it will initiate one during the grant period. Grantee agency will require a test of all killed drivers and will encourage all surviving drivers to consent to a test.

C. Grantee agency certifies that it has a written departmental policy on the use of safety belts by employees, or that it will initiate

development of one during the grant period.

D. Grantee must comply with Title VI of the Civil Rights Act of 1964 and Presidential Executive Order 13166 regarding language access and "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons".

11. Supplanting

The replacement of routine or existing state or local expenditures with the use of federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of a state or local agency is prohibited.

12. Nondiscrimination

Grantee agrees that it shall not discriminate against any employee or applicant for employment relating to this Grant because of the employee or applicant's: race, color, national origin, ancestry, religion, sex, age, disability, status as a veteran, or any other characteristic protected by federal, state, or local law.

13. Debarment and Suspension

Grantee certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from entering into this Grant by any federal agency, or by any department, agency, or political subdivision of the state. For purposes of this grant, "principal" includes an officer, director, owner, partner, or other person with primary management and supervisory responsibilities, or a person who has critical influence on or substantive control over the operations of Grantee.

14. Political Activities

Grantee certifies that Grant funding shall not be used to further any type of political or voter activity. Grantee further agrees to comply with the applicable provisions of the Hatch Act, 5 USC 1501-1508 and 7324-7326, which limit political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

15. Lobbying Activities

Grantee assures that no federally appropriated funds have been paid, or will be paid, by or on behalf of Grantee, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the awarding of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant, loan, or cooperative agreement.

Grantee assures that no Grant funds will be used for any activity specifically designed to urge or influence a state or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. This prohibition includes both direct and indirect lobbying activities. This prohibition does preclude routine direct communication with state or local legislative officials, as necessary for performance of job duties, even if such communication relates to specific pending legislative proposals.

16. Buy America Act

Grantee agrees to comply with the provisions of the Buy America Act, 23 USC 101, which includes the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with federal funds unless the

Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest; that such materials are not reasonably available and of satisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project Grant by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

17. Termination

This grant may be terminated upon BOTS' determination that Grantee has materially failed to comply with terms of this Agreement. Termination may be considered among the criteria for subsequent grant awards.

18. Correspondence

All correspondence with BOTS regarding this project shall include the Grant Number, and shall be submitted to the following address:

Wisconsin State Patrol

BOTS

P.O. Box 7936

Madison, WI 53707

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

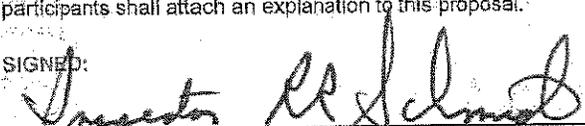
INSTRUCTIONS FOR CERTIFICATION:

1. By signing and submitting this proposal, the prospective low tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which the transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms covered transaction, "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transaction. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement list.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this on, in addition to other remedies available to the Federal government, the department of agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statement in this certification, such prospective participants shall attach an explanation to this proposal.

SIGNED:

 02/28/14

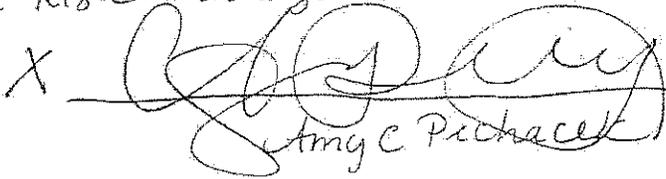
 (Agency Head or Authorizing Official), (Date), (Agency Name)

 (Director, Bureau of Transportation Safety), (Date)

Administrative Information

Federal Identifier	2014-31-05-K8
CFDA Number	20.601
DUNS Number	08-792-8113
Amount	\$91,400
Funding Year	2014
Project ID Number	0954-31-75
Revenue Project ID Number	000
Appropriation	185
Program	1051
Object Codes	5100
Agency Federal Employer ID (FEIN):	39-600572
Vendor Number	396005720-CT
County-Muni Code	41-000
Payee	Treasurer Milwaukee County
SPM Assigned	Jill Benkert
Agency Head	Sheriff David Clarke
Start Date	10/23/2013

Reviewed by Risk Management:

X  _____
 Amy C. Pichacek 2/19/14

APPROVED
 FOR
 EXECUTION

 CORPORATION COUNSEL
 Feb 21 2014



Office of the Sheriff

David A. Clarke Jr.
Sheriff

DATE: March 13, 2014

TO: Supervisor Marina Dimitrijevic, Chairwoman, Milwaukee County Board of Supervisors

FROM: Richard R. Schmidt, Inspector, Office of the Sheriff, Milwaukee County

SUBJECT: Request to Accept State of Wisconsin Department of Transportation grant for Seat Belt Enforcement 2014 program in the amount of \$10,178 for the Office of the Sheriff.

REQUEST

The Sheriff of Milwaukee County requests authority to accept grant funding of \$10,178 from the State of Wisconsin Department of Transportation for a Seat Belt Enforcement 2014 program.

BACKGROUND

In 2011, 52% of persons killed and 25% of persons sustaining incapacitating injuries in Wisconsin crashes were NOT wearing safety belts. Many of these people were ejected from their vehicle. Statewide safety belt use was 79.2% in 2010, however Wisconsin safety belt use still remains about six percentage points lower than the national average. It has been estimated that safety belt use by motor vehicle occupants in Wisconsin prevents more than 200 traffic related fatalities and more than 8,000 serious injuries annually (2011 data is preliminary).

Click-it or Ticket (CIOT) Enforcement Grant Recipients are targeted based upon seatbelt usage. The intention is to encourage extraordinary seat-belt enforcement in areas of the state with low seatbelt usage.

This grant has the following objectives:

1. To increase the percentage of vehicle occupants wearing safety belts within the municipality.
2. To adopt a zero tolerance policy for unrestrained occupants during all motor vehicle stops.
3. During past deployments, Grantees have typically initiated a recorded traffic stop every 45 minutes. To maintain or exceed historical activity levels during grant-funded activity Grantee will, on average, initiate a recorded traffic stop every 45 minutes.
4. During past grant-funded deployments, Grantees typically maintain an agency ratio of three citations to one written warning.

Service to the Community Since 1835

821 West State Street • Milwaukee, Wisconsin 53233-1488
414-278-4766 • <http://www.mksheriff.org>

5. To make contacts with local media, community groups or other groups to increase public awareness of information related to seatbelt related crashes, and subsequent enforcement efforts a minimum of once during every quarter of grant approval. Creating partnerships with community groups, public and private, to enforce public awareness of this campaign.

Mandatory deployment dates are:

1. December 7-16, 2013 (Booze and Belts)
2. March 4-20, 2014 (St. Patrick's Day)
3. May 20-June 2, 2014 (CIOT National Mobilization)
4. July 1-7, 2014 (Summer Heat)
5. Aug 16-Sep 2, 2014 (Alcohol Crackdown)

The grant period is from October 1, 2013 until September 30, 2014. It is anticipated that there will be 16 deployments with three officers per deployment at four hours per officer for a total of 192 enforcement hours. Payment is based on an average overtime/fringe hourly rate of \$53.01 per hour. The grant requires a local match of 25% on salary expenses or \$10,178 bringing the total project funding to \$12,855. The match requires NO additional budget funds.

FISCAL NOTE

Grant funds total \$10,178 with a 25% local match required of \$2,677 bringing the total project funding to \$12,855. All funding will be used for wages and fringe benefits.

Richard R. Schmidt, Inspector
Milwaukee County Office of the Sheriff

cc: Chris Abele, County Executive
Supervisor Theodore Lipscomb, Chair, Judiciary, Safety & General Services Committee
Kelly Bablitch, Chief of Staff
Alexis Gassenhuber, Committee Clerk
Jessica Janz-McKnight, Research Analyst

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(ITEM) From the Sheriff requesting to apply for and accept a State of Wisconsin Department of Transportation grant for a 2014 Seat Belt Enforcement program grant in the amount of \$10,178:

A RESOLUTION

WHEREAS, the State of Wisconsin Department of Transportation has identified roadway segments patrolled by Milwaukee County as at risk of highway related crashes with unrestrained vehicle occupants; and

WHEREAS, based upon this analysis, the State of Wisconsin Department of Transportation has awarded the Milwaukee County Sheriff a 2014 Seat Belt Enforcement program grant; and

WHEREAS, the grant period is from October 1, 2013 until September 30, 2014 and it is anticipated that there will be 16 deployments for a total of 192 enforcement hours; and

WHEREAS, payment is based on an average overtime/fringe hourly rate of \$53.01 per hour and the grant requires a local match on salary expenses of 25% or \$2,677 bringing the total project funding to \$12,855; now, therefore,

BE IT RESOLVED, the Office of the Sheriff is hereby authorized to apply for and accept State of Wisconsin Department of Transportation grant for a 2014 Seat Belt Enforcement program grant in the amount of \$10,178.

FISCAL NOTE

Grant funds total \$10,178 with a 25% local match required which is \$2,677 bringing the total project funding to \$12,855.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 03/13/14

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: The Sheriff of Milwaukee County requests the authority to accept grant funding of \$10,178 from the State of Wisconsin Department of Transportation for a 2014 Seat Belt Enforcement program.

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input 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	\$10,178	
	Revenue	\$10,178	
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

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

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

The Sheriff of Milwaukee County is requesting the authority to accept grant funding from the State of Wisconsin Department of Transportation for a 2014 Seat Belt Enforcement program in the amount of \$10,148. Grant funds total \$10,148 with a 25% local match which is \$2,677 bringing the total program funding to \$12,855. The Office of the Sheriff has existing budgeted salary funds to provide for the required match.

Department/Prepared By William R. Lethlean, Accounting Manager

Authorized Signature _____

Did DAS-Fiscal Staff Review? Yes No

Did CDBP 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.

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

Proposed Project Title: Seat Belt Enforcement
Type of Municipality: County
Applicant Agency/County: Milwaukee County

Enforcement Area: Milwaukee County
Agency Federal Employer ID (FEIN): 39-600572
DUNS Number: 08-792-8113

Agency Head or Authorizing Official

First Name: David
Last Name: Clarke
Title: Sheriff
Address: 821 W. State St
City: Milwaukee
State: Wisconsin
Zip Code: 53233

Project Coordinator

First Name: Charles
Last Name: Stowers
Title: Sergeant
Address: 821 W. State St
City: Milwaukee
State: Wisconsin
Zip Code: 53233
Phone: 4144544100
Fax: 4144544083
E-mail Address: charles.stowers@milwaukeecountywi.gov

In 2011, 52% of persons killed and 25% of persons sustaining incapacitating injuries in Wisconsin crashes were NOT wearing safety belts. Many of these people were ejected from their vehicle. Statewide safety belt use was 79.2% in 2010, however Wisconsin safety belt use still remains about six percentage points lower than the national average. It has been estimated that safety belt use by motor vehicle occupants in Wisconsin prevents more than 200 traffic related fatalities and more than 8,000 serious injuries annually (2011 data is preliminary).

Click-it or Ticket (CIOT) Enforcement Grant Recipients are targeted based upon seatbelt usage. The intention is to encourage extraordinary seat-belt enforcement in areas of the state with low seatbelt usage.

Additional Justification

\$10,000 available for Q1 & Q2 (March through August).

I agree to the terms and conditions above.

1. To increase the percentage of vehicle occupants wearing safety belts within the municipality. (Pre - surveys will be completed just prior to the National CIOT Mobilization.) Post Survey results will be completed just after the National CIOT Mobilization, and the information entered in the 2013 CIOT Funded Agency CIOT Report.

CIOT Enforcement Grantees will complete both the pre CIOT-observational survey and the post CIOT-observational surveys, and enter the survey information in the space provided on the Funded Agency Activity Report form. Please use whole numbers only.

Evaluation: Agency Safety Belt Observational Surveys – Pre/Post Enforcement Mobilization (CIOT only)

2. To adopt a zero tolerance policy for unrestrained occupants during all motor vehicle stops.

Evaluation: Activity Report - Citations

3. During past deployments, Grantees have typically initiated a recorded traffic stop about every 45 minutes. To maintain or exceed historical activity levels during grant-funded activity Grantee will, on average, initiate a recorded traffic stop every 30 minutes.

Evaluation: Activity Report - Contacts

4. During past grant-funded deployments, Grantees typically maintain an agency ratio of three citations to one written warning.

Evaluation: Activity Report - Citations/Warnings

5. To make contacts with local media, community groups or other groups to increase public awareness of information related to crashes, and subsequent enforcement efforts. This should be done a minimum of once during every quarter of grant approval. Creating partnerships with public and private community groups to enforce public awareness of this campaign is strongly encouraged.

An Agencies failure to meet project Objectives may affect their consideration for future grant awards.

Objectives/Evaluation

I agree to the terms and conditions above.

All policies listed below should be made available to the Bureau of Transportation Safety upon request.

1. Biased-Based Policing Policy:

Grantee agency certifies that it has a written departmental policy on biased based policing or that it will initiate development of one during the grant period.

2. IACP Pursuit Policy:

Grantee agency certifies that it has a written departmental policy on pursuits that is in compliance with the IACP's policy, or that it will initiate development of one during the grant period.

3. Fatal Crash Driver BAC Testing Policy:

Grantee agency certifies that it has a written departmental policy on the BAC testing of all drivers involved in alcohol-related, fatal vehicle crashes, or that it will initiate one during the grant period. Currently all killed drivers in fatal crashes are required to be tested under s.346.71 (2). Surviving drivers involved in fatal crashes can be tested if there exists probable cause to suspect drug / alcohol impairment [s.343.305 (3) (a) and (am)], the driver is operating a CMV (FMCSR 382.303), or if conditions exist that are pursuant to Act 413 [343.305 (3) (ar)]. Agencies will encourage all surviving drivers to willingly submit to a BAC test regardless of circumstance.

4. Fleet Safety Belt Use Policy:

Grantee agency certifies that it has a written departmental policy on the use of safety belts by employees, or that it will initiate development of one during the grant period.

5. Title VI Compliance:

Grantee must comply with Title VI of the Civil Rights Act of 1964 and Presidential Executive Order 13166 regarding language access and "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons".

6. Additional Requirements

✓ I agree to the terms and conditions above.

Federal Grant Period:

Grant activities are funded for one federal fiscal year. Funded fiscal year 2014 activities may begin no earlier than **October 1, 2013** and end no later than **September 30, 2014**.

1. Work Plan /Calendar:

The Work Plan/Calendar contained within this contract is a term of the contract. It describes timing and level of enforcement activity. At a minimum, during the term of this contract:

A. Grantee will implement at least one deployment each month within the specified grant period as planned in the Work Plan/Calendar.

The Agencies must participate in Highly Visible Enforcement (HVE) saturation patrols during the timeframes listed below if within specified grant period. HVE saturation patrols must be in high risk locations, supported by publicity and may be a collaborative effort with other LEAs.

- December 7th – 16th, 2012 (Booze and Belts)
- March 4th – 20th, 2013 (St Patrick’s Day)
- May 20th – June 2nd, 2013 (CIOT National Mobilization – minimum of 4 deployments)
- July 1st – 17th, 2013 (Summer Heat)
- Aug 16th – Sept 2nd, 2013 (Alcohol Crackdown – minimum of 4 deployments)

NOTE:

During CIOT, Grantees will schedule a minimum of 50% of the hours of enforcement at night during each of the four (4) mandatory deployments, with a minimum of 4-hour shifts.

NHTSA Grant Funds dictate that during Alcohol Enforcement, Grantees must perform enforcement during the hours of 6:00pm and 4:30am.

If grantee cannot perform the planned patrols, BOTS must be notified. Failure to perform planned activity may be considered grounds for terminating the grant.

2. Work Plan Amendments:

If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval. **Amendments will not be considered after July 1 of the fiscal year during which the project is commenced.**

WORK PLAN/CALENDAR

Month	Enforcement Type	(A) Deployments	(B) Hours per Deployment	(C) Officers per Deployment	(D) Total Officer Hours (AxB)xC = D
October	Saturation/HVE	0	0	0	0
November	Saturation/HVE	0	0	0	0
December	Booze & Belts HVE	0	0	0	0

	OTHER				0
January	Saturation/HVE	0	0	0	0
February	Saturation/HVE	0	0	0	0
March	St. Patrick's HVE	1	4	3	12
	OTHER	1	4	3	12
April	Saturation/HVE	2	4	3	24
May	CIOT HVE	3	4	3	36
	OTHER				0
June	CIOT HVE	3	4	3	36
	OTHER				0
July	Summer Heat HVE	3	4	3	36
	OTHER				0
August	Alcohol Crackdown HVE	3	4	3	36
	OTHER				0
September	Alcohol Crackdown HVE	0	0	0	0
	OTHER				0
TOTAL		16	28	21	192

WORK PLAN ITEMS – Required:

1. Saturation Patrols and Sustained Enforcement Deployments:

Grantee will assign only sworn, SFST-trained officers in patrols. Part-time officers may be assigned only if the grant funded activity and their resulting weekly total hours do not exceed 39 hours.

2. Total Hours: Grantee agrees to implement 16 deployments for a total of 192 enforcement hours.

3. Grant Reimbursable Hours & Rate: Grantee's estimate of funded reimbursable hours is based upon an estimated average hourly wage/fringe rate of \$53.01

4. State / National Mobilization Activity/Crackdown Reports: Grantee will complete the Activity Reports and submit them to the Grantor no later than the 15th of the month following the mobilization:

- “Booze & Belts Mobilization Activity Report due by Jan 15.
- “St Patrick’s Day Mobilization Activity Report due by Mar 15.
- “Click It or Ticket” Safety Belt Mobilization Activity Report due by June 15.
- “Summer Heat” Mobilization Activity Report due by July 15.
- Alcohol Crackdown Activity Report due by Sept 15.

5. Additional Items:

✓ I agree to the terms and conditions above.

1. Budget Plan:

The Budget spreadsheet within this contract is a term of the contract. Eligible cost items for this project include: Wage, Fringe, Low-cost Equipment and High-cost Equipment. Grantee must complete the Federal Share AND Estimated Local Match columns.

2. Equipment Purchase:

The Equipment Purchase Form within this contract is a term of this contract, if either High-cost or Low-cost Equipment is purchased. "High-cost" Equipment is defined in the General Terms; other equipment is considered 'low-cost'.

3. Budget/Equipment Amendments:

If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval.

Amendments will not be considered after July 1st of the fiscal year during which the project is commenced.

Budget

Item	Federal Grant	Local Match	Totals
Wage/Fringe	\$10,177.92	\$2,677.00	\$12,854.92
Travel/Mileage	Ineligible		\$0
Training	Ineligible		\$0
Contractual Services	Ineligible		\$0
Equipment	\$0	\$0	\$0
Materials & Supplies	Ineligible		\$0
Other	Ineligible		\$0
Total	\$10,177.92	\$2,677.00	\$12,854.92

1. Relationship to work plan:

All budget items must relate to activities described in the Work Plan. Reimbursement will be based on actual costs, NOT budgeted rates. Only project activities and expenses described in the approved work plan and budget, incurred during the grant period, are eligible for reimbursement. Expenses incurred that are not specified in the budget or work plan will not be reimbursed.

2. Document Requirements:

Grantee will document hours, wage and fringe rate, and all match costs. Fringe benefit shall be actual costs. Payment for salaries and wages shall be supported by a time and attendance report, or equivalent records, which shall be kept on file at the agency for three years from the date the project closes. Grantor reserves the right to perform monitoring activities, to include ongoing review and audit of department records.

3. Match Requirements:

A local match of at least 25% of the grant total is required. The match budget line may consist of estimates of program match.

Equipment Purchase

Item	Federal Grant	Local Match	Totals
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
			\$0
Total	\$0	\$0	\$0

4. Equipment Requirements:

Grantee must specify make, model, quantity and purchase price of each type of equipment to be purchased.

No more than one-half (50% Rule) of the grant funds may be allocated to equipment, **not to exceed \$4,999.00**. If equipment costs exceed the cap of \$ 4,999.00, NHTSA approval would need to be obtained prior to purchase, and any amount in excess of \$4,999.00 would be Local Match. Grantor will mark the equipment and maintain a proprietary interest until the total equipment value falls below \$4,999.00.

Note: The 50% Rule relates to reimbursed grant funds, not to the initial grant award.

For example: The Grantee receives a grant of \$10,000.00 and budgets \$5,001.00 for Wage and Fringe and \$4,999.00 for Equipment. The Grantee utilizes only \$2,500.00 for Wage and Fringe. Then, the total grant amount is reduced to \$5,000.00, of which no more than 50%, or \$2,500.00 (not \$4,999.00) can be used to purchase said equipment.

Important!

While equipment may be ordered/purchased once the Grant is approved by BOTS, actual reimbursement for said equipment will not occur until grantee has worked the minimum hours needed to insure that the 50% rule is met.

For example: An Agency budgets \$15,000.00 for enforcement and \$4,500.00 for Equipment, \$4,500.00 in Enforcement must take place before the equipment purchase will be reimbursed.

Grantor reserves the right to monitor the use of all equipment purchased using Highway Safety Funds.

Grantee will make the equipment available for viewing by grantor upon notice.

Approved Equipment:

Alcohol/drug-testing, and alcohol enforcement devices must comply with standards and specifications established by NHTSA or

other nationally recognized standard-setting agencies.

NOTE: No equipment will be allowed on Seat Belt Enforcement Grants.

NHTSA Guidelines do not allow the purchase of Speed Enforcement Equipment with Alcohol Grant Funds

5. Signatures:

The signature of agency head or authorizing official must be emailed to DOTsafetygrants@dot.wi.gov. An electronic grant submission through the WISE-Grants System will initiate the grant approval process, but no reimbursement will be made until the signature page is received.

I agree to the terms and conditions above.

Forms: Forms will only be accepted through the WISE-Grants. Questions about grant submissions should be referred to either the State Program Manager, or the Regional Program Manager.

1. **Project Match Report:**

Grantee will complete the Final Project Match Report form provided by Grantor AFTER all project activity is complete, but no later than November 1st of the fiscal year during which the project is commenced.

2. **Earned Media Event Documentation:**

Documentation (hard-copy, faxed and/or electronic copies of media materials) of each earned media event must be submitted to BOTS. An electronic link to a print article, news online or other format is acceptable documentation.

3. **Place of Delivery:**

All Electronic Project Deliverables shall be submitted via the WISE-Grants System

Signature Pages shall be e-mailed to DOTsafetygrants@dot.wi.us

Questions about the Traffic Safety Program or this project should be addressed to the State Program Manager or the Regional Program Manager.

Mailing Address:

Wisconsin State Patrol, BOTS

P.O. Box 7936

MADISON, WI 53707-7936

FAX: (608) 267-0441

Additional Deliverables:

I agree to the terms and conditions above.

This Grant Agreement ("Agreement"), entered into by and between the Bureau of Transportation Safety ("BOTS") and ~~MILWAUKEE COUNTY SHERIFF'S OFFICE~~ "Grantee", is executed pursuant to terms that follow.

1. Purpose of this Agreement

The Bureau of Transportation Safety, housed within the Wisconsin Department of Transportation's Division of State Patrol, serves as the administering agency for state and federal grants relating to transportation safety. The purpose of this Agreement is to enable BOTS to award grant funding to Grantee for eligible costs of the Grant Project ("Grant") undertaken as outlined in the project narrative and work plan. The funds shall be used exclusively in accordance with the provisions of this Agreement, as well as applicable federal and state laws and regulations.

2. Term

Work conducted under this Grant must occur within the federal fiscal year: October 1 to September 30. This Agreement expires September 30 of the fiscal year during which the Grant is conducted.

3. Implementation

Grantee shall be solely responsible for the design and implementation of the Grant as described in the project narrative and work plan. Grantee agrees to conduct the Grant in accordance with these plans as approved by BOTS.

Modification of the Grant shall require prior approval of BOTS. Any change in project coordinator, financial officer, authorizing official, addresses, or telephone numbers requires written notification to BOTS. If the work plan or other documentation must be changed after the contract is signed, Grantee must submit an amendment request via the WISE Grants System. Amended activity may not commence prior to BOTS approval. Amendments will not be considered after July 1 of the fiscal year during which the project is commenced.

Failure to perform planned activity may be considered grounds for termination of funding.

4. Audit and Maintenance of Records

Grantee government subdivisions are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S. C. 7501-8507) and revised OMB Circular A-133. If grantee government subdivision is subject to an AB-133 audit, BOTS must be notified of the audit and subsequent results. BOTS may take corrective action within six months and may require independent auditors to have access to grantee's records and financial statements. Note: Circular A-133 may be obtained by contacting the Financial Standards and Reporting Branch, Office of the Federal Financial Management, Office of Management and Budget, Washington, DC 20503, telephone, (202) 395-3993.

Documentation of costs shall be maintained for three years following final reimbursement. Reimbursement claim cost detail shall include a list of all personnel whose time is claimed; current billing period and year-to-date wages and fringe benefits paid to each person listed; all travel listed individually and broken out by transportation/mileage, meals, lodging, and related costs; all materials and supplies and contractual services, itemized, required to complete project activity. Employee time records for actual hours worked or percent of time dedicated to project activity are to be maintained by Grantee and made available to BOTS upon request with reasonable notice. Each budget item identified as "Other" shall be claimed separately.

5. Monitoring by the State

Grantee consents to monitoring by BOTS staff to ensure compliance with applicable state and federal regulations. Monitoring may occur on-site and will require access to original versions of employee payroll information, citations, and other materials related to

the implementation of this grant.

6. Payment of Funds by the State

All highway safety projects are funded on a cost reimbursement basis. State or local funds shall be expended before federal reimbursement is made.

BOTS shall reimburse Grantee only for the actual hours worked, and for other eligible costs, and only if the costs are incurred in performing tasks identified in the Project Narrative or Work Plan. Personnel costs shall be reimbursed on the basis of hourly salary and fringe rate(s) that have been verified and approved by BOTS, or on the basis of percentage of annual salary and fringe dedicated to project activity as described in the Project Narrative or Work Plan. All expenses for which Grantee seeks reimbursement must be documented in Project Activity Reports.

7. Equipment

Tangible, non-expendable personal property having an acquisition cost of \$5,000 or more, with a useful life of greater than two years, that is purchased in whole or in part by Grantee using funds awarded as part of this Agreement must be justified in the project narrative or work plan and approved by the NHTSA Regional Office in writing. Each item shall be tagged, inventoried, and monitored until the federal interest is released.

Tangible, non-expendable personal property having an acquisition cost of less than \$5,000, and budgeted as materials and supplies, will also be monitored. Grantee must inform BOTS when equipment is no longer used for the purpose for which it was acquired.

8. Print and Audio Visual Materials

Grantee shall submit all materials developed under this Agreement to BOTS for approval of content and style prior to final production and release. All video materials intended for general public viewing must be close-captioned. Grantee shall credit the Wisconsin Department of Transportation Bureau of Transportation Safety and the National Highway Traffic Safety Administration on all such materials. Grantee may not copyright any portion of materials produced under this Agreement.

9. Program Income

Program income is gross income derived by Grantee from grant-supported activities. Grantee will report program income on reimbursement claims, stating whether the income is retained or credited as a reduction in federal share of project expenditures. If retained, such income may be used only for highway safety activities and is subject to audit by BOTS.

10. Additional Requirements Where Funds Are Expended on Law Enforcement

Grantee agency certifies that it has a written departmental policy on biased based policing, or that it will initiate development of one during the grant period.

A. Grantee agency certifies that it has a written departmental policy on pursuits or that it will initiate development of one during the grant period. The policy should conform to the guidelines of IACP or a similar pursuit policy.

B. Grantee agency certifies that it has a written departmental policy on the BAC testing of all drivers involved in fatal vehicle crashes involving alcohol, or that it will initiate one during the grant period. Grantee agency will require a test of all killed drivers and will encourage all surviving drivers to consent to a test.

C. Grantee agency certifies that it has a written departmental policy on the use of safety belts by employees, or that it will initiate

development of one during the grant period.

D. Grantee must comply with Title VI of the Civil Rights Act of 1964 and Presidential Executive Order 13166 regarding language access and "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons".

11. Supplanting

The replacement of routine or existing state or local expenditures with the use of federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of a state or local agency is prohibited.

12. Nondiscrimination

Grantee agrees that it shall not discriminate against any employee or applicant for employment relating to this Grant because of the employee or applicant's: race, color, national origin, ancestry, religion, sex, age, disability, status as a veteran, or any other characteristic protected by federal, state, or local law.

13. Debarment and Suspension

Grantee certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from entering into this Grant by any federal agency, or by any department, agency, or political subdivision of the state. For purposes of this grant, "principal" includes an officer, director, owner, partner, or other person with primary management and supervisory responsibilities, or a person who has critical influence on or substantive control over the operations of Grantee.

14. Political Activities

Grantee certifies that Grant funding shall not be used to further any type of political or voter activity. Grantee further agrees to comply with the applicable provisions of the Hatch Act, 5 USC 1501-1508 and 7324-7326, which limit political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

15. Lobbying Activities

Grantee assures that no federally appropriated funds have been paid, or will be paid, by or on behalf of Grantee, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the awarding of any federal grant, the making of any federal loan, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant, loan, or cooperative agreement.

Grantee assures that no Grant funds will be used for any activity specifically designed to urge or influence a state or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. This prohibition includes both direct and indirect lobbying activities. This prohibition does preclude routine direct communication with state or local legislative officials, as necessary for performance of job duties, even if such communication relates to specific pending legislative proposals.

16. Buy America Act

Grantee agrees to comply with the provisions of the Buy America Act, 23 USC 101, which includes the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with federal funds unless the

Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest; that such materials are not reasonably available and of satisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project Grant by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

17. Termination

This grant may be terminated upon BOTS' determination that Grantee has materially failed to comply with terms of this Agreement. Termination may be considered among the criteria for subsequent grant awards.

18. Correspondence

All correspondence with BOTS regarding this project shall include the Grant Number, and shall be submitted to the following address:

Wisconsin State Patrol

BOTS

P.O. Box 7936

Madison, WI 53707

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

INSTRUCTIONS FOR CERTIFICATION:

1. By signing and submitting this proposal, the prospective low tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which the transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms covered transaction, "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transaction. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that

the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement list.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this on, in addition to other remedies available to the Federal government, the department of agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statement in this certification, such prospective participants shall attach an explanation to this proposal.

SIGNED:

* Richard R. Schmeltz, 03/10/14 Milwaukee County Sheriff's
(Agency Head or Authorizing Official), (Date), (Agency Name)

(Director, Bureau of Transportation Safety), (Date)

* Amy C. Pechacek, 2/26/14
Amy C. Pechacek, Risk Management

Approved as to form and
independent Contractor status
by Corporation Counsel
Mark A. Brady
3/6/14



David A Clarke, Jr.
Sheriff

County of Milwaukee

6

Office of the Sheriff

To: Marina Dimitrijevic, Supervisor, Chairwoman
Milwaukee County Board of Supervisors

From: Richard R. Schmidt, Inspector
Milwaukee County Office of the Sheriff

Date: Wednesday, March 26, 2014

Re: Memorandum of Understanding between the Milwaukee County Sheriff's
Office and the Milwaukee County House of Correction for the use of the
Milwaukee County Sheriff's Office Training Academy

REQUEST

The Milwaukee County House of Correction requests the use of the Milwaukee County Sheriff's Office Training Academy.

BACKGROUND

The 2014 budget maintains the responsibility for the Training Academy with the Office of the Sheriff. The Sheriff's Office was asked to develop an agreed upon plan by April 1, 2014, which outlines an agreement for the House of Correction to use the training academy for its training needs. A written agreement between the House of Correction and the Sheriff's Office was reached and is attached to this document.

Richard R. Schmidt, Inspector
Milwaukee County Office of the Sheriff

MEMORANDUM OF UNDERSTANDING
Between
the Milwaukee County Sheriff's Office
and Milwaukee County House of Correction

This agreement is made and entered into by and between the Milwaukee County Sheriff's Office (MCSO) and the Milwaukee County House of Correction (HOC).

WHEREAS the Milwaukee County Sheriff's Office administers and manages the Milwaukee County Sheriff's Office Training Academy,

WHEREAS the Milwaukee County House of Correction will utilize the facility for training purposes in exchange for services defined herein,

NOW THEREFORE IT IS MUTUALLY AGREED UPON AS FOLLOWS:

EFFECTIVE DATE, DURATION, AND TERMINATION

This agreement shall be effective April 1, 2014, and will remain in effect as long as annual funding is provided by the County Executive and County Board to operate the training facility and the terms of agreement are followed as outlined below:

NOTIFICATIONS

MCSO
Richard R. Schmidt, Inspector
821 W. State Street
Milwaukee, WI 53233

HOC
Michael Hafemann, Superintendent
8885 S. 68th Street
Franklin, WI 53132

TERMS OF AGREEMENT

Building/Premises Use

- In November and December, the MCSO Training Academy and HOC staff will meet to establish the training schedule for the upcoming year. Copies of the agreed upon schedule shall be submitted to the Deputy Inspector of the Countywide Services Bureau.
- Upon mutual consent of the MCSO and HOC staff, the upcoming year's training schedule may be amended due to unanticipated training needs and the availability of the facility's resources (i.e., classroom and other training spaces). Changes to the original training schedule shall be documented.
- Room reservations shall follow the current scheduling procedure as for any outside agency.
- HOC shall ensure that the facility is cleaned and restored to the same condition as prior to the training session(s).
- The HOC is responsible for any damages to the facility incurred by HOC and will pay for any repairs needed to put the areas into the same conditions as they were received.

Building/Premises Security

- HOC shall provide exterior security patrols.
- HOC shall continuously monitor and maintain the premises security, fire control, and gas sensor systems.
- All security breaches shall be immediately reported to MCSO Communications Center.
- All damage to the premises must be reported to MCSO Communications Center.

Exchange of Services

- At no cost to the MCSO, the HOC will be responsible grounds maintenance, landscaping, and snow removal. And, the availability of MCSO staff to train HOC personnel will be determined and scheduled as part of the process to establish the annual training scheduled for the training facility. However, HOC will first exhaust all HOC training staff to provide training for HOC personnel. Furthermore, MCSO may request and use of HOC staff to train MCSO personnel after exhausting all MCSO training staff to provide training for MCSO personnel.
- In exchange for providing the building and premises security (reference the **Building/Premises Security** section of this agreement), the MCSO will provide at no cost to the HOC MCSO stocked non-expendable training equipment, aids and/or resources. If HOC staff through misuse damages the non-expendable training equipment, the HOC will pay for the cost to replace the equipment. But, the HOC will not be responsible to replace equipment that was properly used by staff, but became damaged do to continued use and wear.
- At no cost to the MCSO, the HOC will be responsible for providing HOC maintenance staff labor to address any repairs to the physical plant and the replacement of non-training aids malfunctioning items/equipment at the facility. The MCSO will be responsible for the cost of parts and equipment needed to address repairs to the physical plant and the replacement of non-training aids malfunctioning items/equipment.
 - The cost of labor provided by the HOC maintenance staff during a calendar year will not exceed \$5,000.00 per year.
 - In exchange, the MCSO will provide to HOC at no cost to the HOC 15,000 rounds of ammunition, storage, and inventory control.
 - Additional expendable equipment in exchange for labor cost may be considered as agreed upon during the current year.

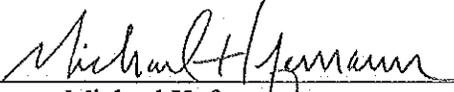
RESERVATION OF RIGHTS

MCSO reserves the right to remove from the facility any visitors or Milwaukee County employees who violate security regulations and procedures of the Sheriff's Office, or who present an immediate security risk or threat as determined by MCSO.

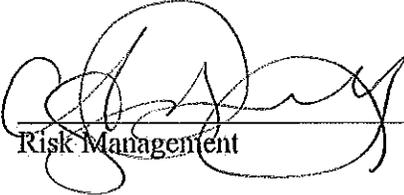
MCSO will notify the Superintendent of any immediate action taken against HOC personnel and will mutually work with HOC to resolve any issues that involve a perceived threat or violation of security regulations and procedures.

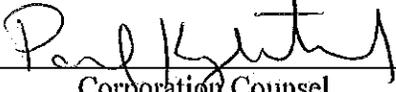
This Agreement, which shall be binding upon the parties hereto, their successors and assigns, sets forth all the promises, agreements, conditions and understandings between the County, MCSO and the HOC. All prior and contemporaneous understandings, representations, and agreements must be merged therein or superseded hereby. No alterations, modifications, releases or waivers of the agreement or any portion thereof will be effective unless in writing and executed by mutual agreement of the MCSO and HOC.

 03/25/14
Richard R. Schmidt, Inspector
Office of the Sheriff, Milwaukee County
Date

 3/24/2014
Michael Hafemann
Superintendent, House of Correction
Date

Approved as to form:

 3/25/14
Risk Management
Date

 3/25/14
Corporation Counsel
Date

1
2
3 By Supervisor Weishan
4

5 **A RESOLUTION**
6

7 Providing for an advisory referendum on whether the U.S. Constitution should be
8 amended to establish that only human beings, not corporations, are entitled to
9 Constitutional rights, and money is not speech, and therefore regulating political
10 contributions and spending is not equivalent to limiting political speech
11

12
13 WHEREAS, the United States Constitution acknowledges the rights that every
14 person deserves, and it guarantees those rights to the people of the United States of
15 America; and
16

17 WHEREAS, in delineating the rights of every person, the Framers did not state
18 that any of the rights of persons are also rights of corporations, nor do the U.S.
19 Constitution and its amendments use the word "corporation" even once; and
20

21 WHEREAS, acceptance by the courts of the doctrines of corporate personhood
22 and the equivalence of money and speech has enabled corporations to spend money in
23 much greater amounts than the vast majority of living human beings, to influence
24 political and governmental decisions and the results of elections; and
25

26 WHEREAS, by enabling candidates and their supporters to raise unprecedented
27 amounts of corporate money, the *Citizens United v. Federal Election Commission*
28 decision of 2010, in effect, requires constant fundraising by candidates, diverting their
29 attention away from the interests and needs of people they would represent; and
30

31 WHEREAS, the *Citizens United* decision has allowed and will allow
32 unprecedented amounts of money contributed by corporations and other wealthy
33 donors to influence the American political process, posing a direct threat to our
34 democracy and feeding a growing movement toward a plutocracy by influencing
35 candidate selection, election results, votes by public officials, and policy decisions while
36 diluting the power of individuals as active, voting citizens; and
37

38 WHEREAS, when accorded the rights of human persons, large corporations and
39 other wealthy groups have greatly exceeded less affluent human persons in political
40 influence, resulting in elections, laws, and government policies that enable the
41 corporations to carry on activities detrimental to the wellbeing of human persons; and
42

43 WHEREAS, the people of the United States have previously used the
44 constitutional amendment process to correct those egregiously wrong decisions of the
45 United States Supreme Court that undermine our democracy; and
46

47 WHEREAS, in July 2012 the County Board of Supervisors adopted File No. 12-
48 544 (vote 14-4) to provide such an advisory referendum for the Fall 2012 election, but it
49 was subsequently vetoed by the County Executive; and

50
51 WHEREAS, the County Executive's veto was sustained by the County Board on
52 September 6, 2012 (vote to override failed 10-7); and

53
54 WHEREAS, an advisory, non-binding referendum would allow Milwaukee County
55 residents to express their opinion on whether the U.S. Constitution should be amended
56 to establish that only human beings, not corporations, are entitled to Constitutional
57 rights, and money is not speech, and therefore regulating political contributions and
58 spending is not equivalent to limiting political speech; and

59
60 WHEREAS, a County-wide advisory referendum to ascertain the will of the
61 people can only be authorized by the Milwaukee County Board of Supervisors; now,
62 therefore,

63
64 BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County,
65 Wisconsin, as follows:

66
67 Section 1. Referendum Election. The County Clerk is hereby directed to call an
68 advisory referendum election to be held in the County at the regularly scheduled
69 election to be held on November 4, 2014, for the purpose of submitting to the qualified
70 electors of the County the proposition of whether an amendment to the United States
71 Constitution that would continue to guarantee Constitutional rights to individual, living
72 persons but not to corporations and would allow governments to regulate political
73 contributions should proceed. The referendum shall be held, noticed and conducted
74 following the procedures set forth in Section 59.52(25) of the Wisconsin Statutes.

75
76 Section 2. Official Referendum Ballot Form. The ballot to be used at the
77 referendum election shall be prepared in accordance with the provisions of Sections
78 5.64(2) and 7.08(1)(a) of the Wisconsin Statutes. The ballot shall be substantially in the
79 form attached hereto as Exhibit A.

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81
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83 **EXHIBIT A**

84 OFFICIAL REFERENDUM BALLOT

85
86
87 November 4, 2014

88
89 NOTICE TO ELECTORS: THIS BALLOT MAY BE INVALID UNLESS INITIALED BY
90 TWO (2) ELECTION INSPECTORS. IF CAST AS AN ABSENTEE BALLOT, THE

91 BALLOT MUST BEAR THE INITIALS OF THE MUNICIPAL CLERK OR DEPUTY
92 CLERK.

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98

If you desire to vote on the question, make a cross (X) in the square beneath the question after "YES" if in favor of the question or make a cross (X) in the square after "NO" if opposed to the question.

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100
101

ADVISORY REFERENDUM

102
103

Shall the U.S. Constitution be amended to establish the following:

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105

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107

1. Only human beings, not corporations, are entitled to Constitutional rights, and

108
109

2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech.

110
111

YES

NO

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113
114
115

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 26, 2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution providing for an advisory referendum on whether the U.S. Constitution should be amended to establish that only human beings, not corporations, are entitled to Constitutional rights, and money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech.

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 checked="" 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 checked="" 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	\$25,000 to \$40,000	0
	Revenue	0	0
	Net Cost	\$25,000 to \$40,000	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 this authorize an advisory referendum to be held in Milwaukee County on November 4, 2014, asking voters whether the U.S. Constitution should be amended to establish the following: 1) Only human beings, not corporations, are entitled to Constitutional rights, and 2) Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech.

B. Based on information provided and confirmed by Election Commission staff, this fiscal note provides an estimated range of \$25,000 to \$40,000 for the cost of adding an advisory referendum question to the November 4, 2014, County-wide ballot. This estimated cost range is based on the cost of printing ballots, programming election machines and the required newspaper advertising related to the referendum question. Milwaukee County, according to Election Commission staff, is responsible for all costs related to federal, state and county contests. A precise cost calculation is not possible since many factors influence the actual cost of each contest (i.e. election or referendum question) including ballot printing (actual size of ballot, number of columns and whether it is one or two-sided), election machine programming and advertising expenses.

The County's actual cost for holding an advisory referendum during the spring 2008 general election, according to Election Commission staff calculations, was \$17,216. This included \$4,754 for ballots, \$3,569 for election machine programming and \$8,893 in required newspaper advertising. (Referendums have additional advertising requirements in addition to the usual ballot advertising requirement.)

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.

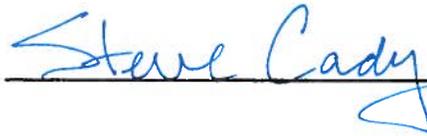
The County's actual cost for holding an advisory referendum during the fall 2008 general election, according to Election Commission staff calculations, was \$31,795. This included \$17,000 for ballots, \$3,495 for election machine programming and \$11,300 for advertising.

In an estimate prepared in August 2012 for a proposed referendum during the general election scheduled for November 6, 2012, Election Commission staff projected the cost of the advisory referendum at \$37,484. The increase from the actual 2008 fall referendum costs was largely due to an increase in the cost of ballot printing.

- C. The budgetary impact is expected to increase the expenditures of the Election Commission by \$25,000 to \$40,000 due to the addition of the advisory referendum. Election Commission staff, historically, have sought fund transfers from the Appropriation for Contingencies for any costs that could not be absorbed within their Adopted Budget. These fund transfers are typically requested after the election is held and actual election costs can be determined. This fiscal note anticipates that an appropriation fund transfer from Org. Unit. 1940 – Countywide nondepartmentals, Account 1945 – Appropriation for Contingencies, would be necessary at a later date to cover the additional cost of the proposed referendum that was not contemplated when the 2014 Adopted Budget was approved.
- D. The assumptions and interpretations used for this fiscal note were historical referendum costs and Election Commission professional staff assumptions of current costs for printing, programming and advertising. It should also be noted that the Election Commission, by law, must receive the notice of a referendum for the November 4, 2014 general election seventy (70) days in advance, or August 26, 2014.

Department/Prepared By Steve Cady, Policy and Research Director, Office of the Comptroller

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

1 By Supervisor Weishan

2
3 **A RESOLUTION**

4
5 calling for an advisory referendum on whether tax revenue should be used to help pay
6 for the renovation or construction of a new sports and entertainment arena to replace
7 the BMO Harris Bradley Center in the City of Milwaukee and to build a major expansion
8 to the Wisconsin Center Convention Center
9

10 WHEREAS, the Metropolitan Milwaukee Association of Commerce ("MMAC")
11 assembled a task force of elected officials and community leaders to discuss future
12 funding of Milwaukee's cultural and entertainment facilities, including the potential
13 replacement of the BMO Harris Bradley Center and expansion of the Wisconsin Center
14 Convention Center; and
15

16 WHEREAS, MMAC invited representatives from five counties: Milwaukee,
17 Waukesha, Ozaukee, Washington and Racine; the same counties that comprise the
18 Southeast Wisconsin Professional Baseball Park District that is charged with oversight
19 of constructing, operating and maintaining Miller Park; and
20

21 WHEREAS, since the implementation of a 0.1% (one-tenth of one-percent) sales
22 and use tax in 1996 in five counties to pay the debt service costs on Baseball Park
23 District issued revenue bonds and facility operation expenses, approximately \$423.5
24 million has been paid to the Baseball Park District; and
25

26 WHEREAS, based on a recent financial analysis, the Baseball Park District sales
27 tax will most likely sunset between 2017 and 2018; and
28

29 WHEREAS, there was no public referendum on the imposition of the Baseball
30 Park District sales tax; and
31

32 WHEREAS, in contrast, Brown County voters approved a referendum in 2000 to
33 levy a 0.5% (one-half of one percent) sales and use tax to help finance improvements
34 to Lambeau Field that has thus far raised approximately \$267.7 million for the project;
35 and
36

37 WHEREAS, the Milwaukee Board of Supervisors approved File No. 08-217 on
38 June 26, 2008, that established an advisory referendum on November 4, 2008, that
39 asked all County voters the following question:
40

41 *Shall the State of Wisconsin grant Milwaukee County the authority to provide*
42 *property tax relief of at least sixty-seven million dollars (\$67 million) by levying a*
43 *one percent (1%) county sales and use tax to be used to remove the following*

44 *three items from the property tax levy: parks, recreation and culture, transit and*
45 *emergency medical services (EMS)?*

46
47 ; and

48
49 WHEREAS, Milwaukee County voters approved the advisory referendum on
50 November 4, 2008, by a margin of 52 to 48 percent; and

51
52 WHEREAS, a Milwaukee Journal Sentinel editorial on November 5, 2008, was
53 headlined: *People Have Spoken: It's time to move forward on a Milwaukee County*
54 *sales tax increase to protect parks, transit and other key services and to offer property*
55 *tax relief*; and

56
57 WHEREAS, despite the support from the voters, media and effort by many
58 policymakers, the State Legislature and governor have yet to adopt and sign into law
59 authority to enact the referendum as approved by Milwaukee County voters; and

60
61 WHEREAS, Milwaukee County voters have already expressed their support for
62 the imposition of a sales tax to provide property tax relief by removing parks, recreation
63 and culture, transit and emergency medical services (EMS) from the property tax; and

64
65 WHEREAS, conservative initial estimates indicate that it may cost at least \$400
66 million to build a new sports and entertainment arena and \$300 million to build a major
67 expansion to the Wisconsin Center Convention Center facility; and

68
69 WHEREAS, Milwaukee County voters should be given the opportunity to decide
70 if they want to help pay for the renovation or construction of a new sports and
71 entertainment arena to replace the BMO Harris Bradley Center in the City of Milwaukee
72 and the expansion of the Wisconsin Center Convention Center; now, therefore,

73
74 BE IT RESOLVED, that the Milwaukee County Board of Supervisors is hereby
75 opposed to spending any new tax dollars on the renovation or construction of a new
76 sports and entertainment arena to replace the BMO Harris Bradley Center in the City of
77 Milwaukee, or to build a major expansion to the Wisconsin Center Convention Center,
78 until the sales tax that was supported by the voters in 2008 to provide property tax relief
79 by removing parks, recreation and culture, transit and emergency medical services
80 (EMS) from the property tax is authorized; and

81
82 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
83 is also opposed to extending the Southeast Wisconsin Professional Baseball Park
84 District sales tax of 0.1% for any purposes other than which it was originally authorized;
85 and

86

87 BE IT FURTHER RESOLVED by the County Board of Supervisors of Milwaukee
88 County, Wisconsin, as follows:

89
90 Section 1. Referendum Election. The County Clerk is hereby directed to call an
91 advisory referendum election to be held in the County at the regularly scheduled
92 election to be held on November 4, 2014, for the purpose of submitting to the qualified
93 electors of the County the proposition of whether tax dollars should be allocated to pay
94 for the construction of a new sports and entertainment arena in the City of Milwaukee.
95 The referendum shall be held, noticed and conducted following the procedures set forth
96 in Section 59.52(25) of the Wisconsin Statutes.

97
98 Section 2. Official Referendum Ballot Form. The ballot to be used at the
99 referendum election shall be prepared in accordance with the provisions of Sections
100 5.64(2) and 7.08(1)(a) of the Wisconsin Statutes. The ballot shall be substantially in
101 the form attached hereto as Exhibit A.
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EXHIBIT A

OFFICIAL REFERENDUM BALLOT

November 4, 2014

NOTICE TO ELECTORS: THIS BALLOT MAY BE INVALID UNLESS INITIALED BY TWO (2) ELECTION INSPECTORS. IF CAST AS AN ABSENTEE BALLOT, THE BALLOT MUST BEAR THE INITIALS OF THE MUNICIPAL CLERK OR DEPUTY CLERK.

If you desire to vote on the question, make a cross (X) in the square beneath the question after "YES" if in favor of the question or make a cross (X) in the square after "NO" if opposed to the question.

ADVISORY REFERENDUM

Shall public tax dollars be used to help build a new sports and entertainment arena in the City of Milwaukee and to build a major expansion to the Wisconsin Center Convention Center?

YES

NO

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 26, 2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution calling for an advisory referendum on whether tax revenue should be used to help pay for the renovation or construction of a new sports and entertainment arena to replace the BMO Harris Bradley Center in the City of Milwaukee and to build a major expansion to the Wisconsin Center Convention Center

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 checked="" 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 checked="" 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	\$25,000 to \$40,000	0
	Revenue	0	0
	Net Cost	\$25,000 to \$40,000	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 this resolution will indicate Milwaukee County's opposition to spending any new tax dollars on the renovation or construction of a new sports and entertainment arena to replace the BMO Harris Bradley Center in the City of Milwaukee, or to build a major expansion to the Wisconsin Center Convention Center, until the sales tax that was supported by the voters in 2008 to provide property tax relief by removing parks, recreation and culture, transit and emergency medical services (EMS) from the property tax is authorized. The resolution also would oppose extending the Southeast Wisconsin Professional Baseball Park District sales tax of 0.1% for any purposes other than which it was originally authorized. Finally, the resolution calls for an advisory referendum to be held on November 4, 2014, asking voters: Shall public tax dollars be used to help build a new sports and entertainment arena in the City of Milwaukee and to build a major expansion to the Wisconsin Center Convention Center?
 - B. Based on information provided and confirmed by Election Commission staff, this fiscal note provides an estimated range of \$25,000 to \$40,000 for the cost of adding an advisory referendum question to the November 4, 2014, County-wide ballot. This estimated cost range is based on the cost of printing ballots, programming election machines and the required newspaper advertising related to the referendum question. Milwaukee County, according to Election Commission staff, is responsible for all costs related to federal, state and county contests. A precise cost calculation is not possible since many factors influence the actual cost of each contest (i.e. election or referendum question) including ballot printing (actual size of ballot, number of columns and whether it is one or two-sided), election machine programming and advertising expenses.

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.

The County's actual cost for holding an advisory referendum during the spring 2008 general election, according to Election Commission staff calculations, was \$17,216. This included \$4,754 for ballots, \$3,569 for election machine programming and \$8,893 in required newspaper advertising. (Referendums have additional advertising requirements in addition to the usual ballot advertising requirement.)

The County's actual cost for holding an advisory referendum during the fall 2008 general election, according to Election Commission staff calculations, was \$31,795. This included \$17,000 for ballots, \$3,495 for election machine programming and \$11,300 for advertising.

In an estimate prepared in August 2012 for a proposed referendum during the general election scheduled for November 6, 2012, Election Commission staff projected the cost of the advisory referendum at \$37,484. The increase from the actual 2008 fall referendum costs was largely due to an increase in the cost of ballot printing.

- C. The budgetary impact is expected to increase the expenditures of the Election Commission by \$25,000 to \$40,000 due to the addition of the advisory referendum. Election Commission staff, historically, have sought fund transfers from the Appropriation for Contingencies for any costs that could not be absorbed within their Adopted Budget. These fund transfers are typically requested after the election is held and actual election costs can be determined. This fiscal note anticipates that an appropriation fund transfer from Org. Unit. 1940 – Countywide nondepartmentals, Account 1945 – Appropriation for Contingencies, would be necessary at a later date to cover the additional cost of the proposed referendum that was not contemplated when the 2014 Adopted Budget was approved.
- D. The assumptions and interpretations used for this fiscal note were historical referendum costs and Election Commission professional staff assumptions of current costs for printing, programming and advertising. It should also be noted that the Election Commission, by law, must receive the notice of a referendum for the November 4, 2014 general election seventy (70) days in advance, or August 26, 2014.

Department/Prepared By Steve Cady, Policy and Research Director, Office of the Comptroller

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

1 By Supervisor Weishan
2

3 **A RESOLUTION**
4

5 Supporting the recovery and release of public records related to Milwaukee County
6 business activity which is subject to the Wisconsin Open Records Law
7

8
9 WHEREAS, on September 18, 2013, the Milwaukee Journal Sentinel
10 (“newspaper”) filed a motion in Milwaukee County Circuit Court to obtain public records
11 that it alleges relate to the official business of Milwaukee County; and
12

13 WHEREAS, the records sought by the newspaper relate to the matter of a John
14 Doe Proceeding, Case No. 10JD000007; and
15

16 WHEREAS, the legal filing by the newspaper titled “*Notice of Motions and*
17 *Motions for Limited Intervention and for Access to the Public Records Owned and*
18 *Originated by Milwaukee County – and for their Return – that Now Remain Sealed in*
19 *the Closed John Doe proceeding*” was served, among others, to the Milwaukee County
20 District Attorney and the Milwaukee County Executive as parties; and
21

22 WHEREAS, Wisconsin state law provides that elected officials are the custodians
23 of their own records, but that any business records should be maintained and provided
24 to their successors upon request; and
25

26 WHEREAS, any public records of the County Executive’s Office business activity
27 are the property of Milwaukee County and should be under the custody and care of the
28 elected County Executive; and
29

30 WHEREAS, A *Wisconsin Public Records Law (Wis. Stat. 19.31-19.39)*
31 *Compliance Outline* published by the Wisconsin Attorney General in September 2012
32 defines “record,” among other things, as “e-mail conducting government business sent
33 or received on the personal e-mail account of an authority’s officer or employees of the
34 authority;” and
35

36 WHEREAS, the District Attorney of Milwaukee County apparently has physical
37 custody of the public records that are subject to the aforementioned legal filing; and
38

39 WHEREAS, the County Executive is charged with implementing the adopted
40 policies of the Milwaukee County Board of Supervisors; and
41

42 WHEREAS, it is the policy of the Milwaukee County Board of Supervisors that
43 records of Milwaukee County business activity are public records; and

44 WHEREAS, it is unacceptable to charge taxpayers for the cost of litigation to
45 shield what should be public records; and

46
47 WHEREAS, a free and open democracy is only possible if public records of
48 governmental business activity are made available to the public; now, therefore,

49
50 BE IT RESOLVED, that the Milwaukee County Board of Supervisors supports the
51 release of any public records, as defined by Wisconsin Statutes, related to
52 governmental business activity of Milwaukee County; and

53
54 BE IT FURTHER RESOLVED, that the County Executive is directed to obtain
55 physical custody of any public records related to the business activity of the Milwaukee
56 County Executive's Office, including any that are subject to open record requests; and

57
58 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors
59 hereby requests that the Milwaukee County District Attorney provide and support the
60 release of all public records related to the business activity of Milwaukee County that
61 may physically be in the possession of the District Attorney's Office; and

62
63 BE IT FURTHER RESOLVED, that once the public records are received by the
64 County Executive, or other custodian of the record under state law, they are to be
65 released to the Milwaukee Journal Sentinel, as requested in its legal filing dated
66 September 18, 2013, and to any other interested party; and

67
68 BE IT FURTHER RESOLVED, if the public records are not provided by the
69 District Attorney to the County Executive, or other custodian of the record under state
70 law, the policy of Milwaukee County will be to assist the Milwaukee Journal Sentinel in
71 obtaining the public records.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 27, 2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution supporting the recovery and release of Public Records related to Milwaukee County business activity which is subject to the Wisconsin Open Records Law

FISCAL EFFECT:

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

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

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

DESCRIPTION OF FISCAL EFFECT

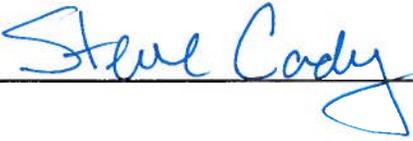
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
 - A. Approval of this resolution will indicate Milwaukee County's support of the release of any public records, as defined by Wisconsin Statutes, related to governmental business activity of Milwaukee County. The resolution directs the County Executive to obtain physical custody of any public records related to the business activity of Milwaukee County and requests that the District Attorney provide the support and release of any records that may be in the possession of the District Attorney's Office. Once any relevant records are received, they are to be released to the Milwaukee Journal Sentinel, which filed a legal brief in request of the records dated September 18, 2013. The resolution establishes that it will be Milwaukee County's policy to assist the Milwaukee Journal Sentinel in obtaining the public records.
 - B. It is anticipated that this resolution will require an expenditure of staff time within the appropriations provided in the 2014 Adopted Budget. This fiscal note assumes that the policy of "assist(ing) the Milwaukee Journal Sentinel in obtaining the records can be done by existing staff within the Office of the Corporation Counsel. The retention of outside legal counsel would result in an added expense to the County.
 - C. None. Included within the 2014 Adopted Budget.
 - D. It is assumed that existing staff can carry out the directives of this resolution.

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

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

Department/Prepared By Steve Cady, Policy and Research Director, Office of the Comptroller

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

1 By Supervisor Bowen

2 File No. 14-

3 **A RESOLUTION**

4 Expanding the criteria for the existing Free Birth Certificate Program to include
5 individuals between the ages of 15-21 who are in need of birth certificates to assist in
6 securing employment opportunities

7

8 WHEREAS, in 2011 a resolution (File No. 11-488) was adopted by the
9 Milwaukee County Board of Supervisors to urge the Wisconsin State Legislature to
10 waive the statutorily required fees for individuals to obtain a birth certificate in order to
11 secure a photo identification to vote; and

12 WHEREAS, by state statute, the Register of Deeds must charge \$20 for the first
13 copy (\$3 for additional copies of the same record) of a certified birth certificate; and

14 WHEREAS, the 2012 Adopted Budget established the Free Birth Certificate
15 Program in the Register of Deeds' department in order to assist individuals in obtaining
16 birth certificates for the purpose of securing photo identification in lieu of proposed
17 "Voter ID" legislation restrictions; and

18 WHEREAS, the Free Birth Certificate Program appropriated \$100,000 to give
19 away 5,000 birth certificates to individuals that provide a written statement affirming that
20 the birth certificate is being obtained for the purpose of obtaining a photo identification
21 for voting purposes; and

22 WHEREAS, the program has remained active in both the 2013 and 2014
23 Adopted Budgets due to the remaining free birth certificates that have not yet been
24 issued, which as of March 2014 consisted of 3,373 birth certificates; and

25 WHEREAS, younger individuals who are seeking employment also require birth
26 certificates during the hiring process to take advantage of job opportunities; and

27 WHEREAS, agencies such as the Milwaukee Area Workforce Investment
28 Board's youth program offers employment opportunities and training to individuals
29 between the ages of 16-24; and

30 WHEREAS, an expansion of the existing Free Birth Certificate Program to allow
31 individuals of age 21 and under to obtain a free birth certificate for the purpose of
32 seeking employment would be a benefit to young residents by assisting them in
33 securing job opportunities as well a benefit to Milwaukee County's overall economy;
34 now, therefore,

35 BE IT RESOLVED, that the Milwaukee County Board of Supervisors authorizes
36 and directs the Register of Deeds to include individuals between the ages of 15-21 in
37 the existing Free Birth Certificate Program for the purpose of seeking employment with
38 its existing resources in place; and

39 BE IT FURTHER RESOLVED, that one-third of the remaining free birth
40 certificates under the existing program shall be earmarked for young residents between
41 ages 15-21 who are able to provide written proof at the time of application submission
42 that said birth certificate is necessary for employment verification and securing
43 purposes; and

44
45 BE IT FURTHER RESOLVED, that the Register of Deeds, in conjunction with
46 Corporation Counsel, shall develop a form that job seeking individuals must sign to
47 verify that they qualify with the prescribed age criteria and that they are obtaining said
48 birth certificate for employment purposes; and

49
50 BE IT FURTHER RESOLVED, that expansion of this program will not require any
51 additional funding, and will conclude when all remaining birth certificates have been
52 issued, unless authorized and funded by the County Board; and

53
54 BE IT FURTHER RESOLVED, that if pending litigation regarding "Voter ID" in
55 either Federal or Wisconsin State Supreme Court results in the elimination of photo
56 identification requirements, the Register of Deeds shall request action by the County
57 Board to either discontinue the Free Birth Certificate Program, or to reprogram
58 remaining birth certificates to be utilized for youth seeking employment opportunities.
59

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: March 25, 2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Expanding the criteria for the existing Free Birth Certificate Program to include individuals ages 15-21 who need to obtain a birth certificate for employment seeking purposes.

FISCAL EFFECT:

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

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

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

DESCRIPTION OF FISCAL EFFECT

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

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
 - A. Approval of this resolution would expand the qualifying criteria for the existing Free Birth Certificate Program to include individuals between the ages of 15-21 who require a birth certificate for securing job opportunities. The resolution outlines how the current program, which was established in the 2012 Adopted Budget, was implemented to give 5,000 free birth certificates only to those individuals that need to obtain photo identification for voting purposes in order to avoid potential obstructions resulting from proposed Voter ID legislation. Because the program has not yet issued all 5,000 birth certificates, this resolution modifies the program to earmark one-third of the remaining birth certificates to job-seeking youth who can provide verification that said birth certificate is necessary to secure an employment opportunity. Currently, 3,373 birth certificates have yet to be issued.
 - B. The current structure of the program requires applicants to sign a form to certify that they meet the program requirements and provide proof of approval. While existing staff time would be required to develop a new form that would include the criteria for the newly qualifying individuals, no additional funding is necessary in 2014 or 2015.
 - C. Funding for this program was appropriated in the 2012 Adopted Budget in the amount of \$100,000 (5,000 birth certificates at \$20 each), which essentially "pre-paid" for the birth records, allowing the program to carry over into the subsequent years. The State is required to be paid for a portion of each birth record that is supplied by the Register of

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.

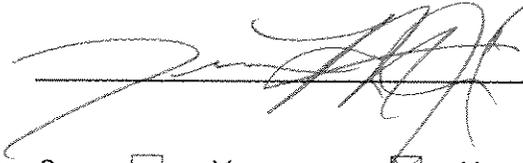
² Community Business Development Partners' review is required on all professional service and public work construction contracts.

Deeds. This program places the State's portion of each "free" birth certificate into a balance sheet account that is paid to the State at year end, based off of the amount of actual birth certificates given out. Because this newly qualifying group would only utilize the existing resources available for up to one-third of the remaining programmed birth certificates, no additional funding would be required in 2014 or 2015. Once the 5,000 document limit is reached, the program will discontinue unless authorized and funded by County Board action.

- D. It is assumed that this program shall continue until all of the allotted birth certificates have been issued, barring any Federal or Wisconsin State Supreme Court actions that could diminish the relevance of the program, at which point the Register of Deeds may request action by the County Board to either discontinue it, or reprogram all remaining birth certificates to be utilized by youth seeking employment opportunities.

Department/Prepared By Jessica Janz-McKnight, Research Analyst, Office of the Comptroller

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CDBP Review?² Yes No Not Required

1 By Supervisor Dimitrijevic

File No. 14-

2
3 **A RESOLUTION/ORDINANCE**
4

5 Amending Chapters 1, 4, 15, 17, 23, 30, 33, 46, 56, 90, 107 and Appendix F, Article
6 XVII of the Milwaukee County Code of General Ordinances by expanding and defining
7 Milwaukee County’s non-discrimination policy to ensure equal opportunity to all
8 persons from all segments of Milwaukee County in contracting, employment and
9 promotional opportunity and equal access to public services
10

11 WHEREAS, the State of Wisconsin, as reported by the Legislative Reference
12 Bureau in February 2008, has historically been a leader in equal employment
13 opportunities and anti-discrimination; and
14

15 WHEREAS, the County of Milwaukee seeks to protect its citizens and visitors in
16 the enjoyment of their civil rights by ensuring that everyone is free from discrimination
17 and by promoting mutual understanding and respect among all who reside, visit, and
18 work within the county; and
19

20 WHEREAS, it is in the general interest and welfare of Milwaukee County to
21 promote a fair and open marketplace that attracts more diverse development
22 opportunities; and
23

24 WHEREAS, despite the protections currently afforded for a person's sex, denial of
25 civil rights based on gender identity or expression continues to occur; and
26

27 WHEREAS, denial of equal opportunity intensifies group conflict, undermines the
28 foundations of our democratic society, and adversely affects the general welfare of the
29 community;
30

31 WHEREAS, the Milwaukee County Board of Supervisors is unified in its
32 commitment to creating equal opportunities for all who reside, visit, and work within the
33 county; now, therefore,
34

35 BE IT RESOLVED, the Milwaukee County Human Resources Director is authorized
36 and directed to present to the Civil Service Commission a County Board
37 recommendation to amend the Civil Service Rules to incorporate the following classes
38 for protection from discrimination: sexual orientation, gender identity and expression;
39 and

40 BE IT FURTHER RESOLVED, to codify and define Milwaukee County's non-
41 discrimination policy, the Milwaukee County Board of Supervisors hereby amends
42 Chapters 1, 4, 15, 17, 23, 30, 33, 46, 56, 90, 107, as well as, Appendix F, Article XVII of the
43 Milwaukee County Code of General Ordinances by adopting the following:

44

45

AN ORDINANCE

46

47

The Milwaukee County Board of Supervisors ordains the following:

48

49

SECTION 1.

50

51

Chapter 1 of the Milwaukee County Code of General Ordinances, up to and
52 including _____, is hereby amended as follows:

53

54

1.03. Opening of meeting.

55

56

(a) Call to order. At the hour of meeting, the chairperson of the county board, or in
57 his/her absence the first vice-chairperson, or in his/her absence the second vice-
58 chairperson, shall call the members to order and shall request all members present to
59 rise for the pledge of allegiance and a moment of silent prayer and meditation. In case
60 of the absence of the chairperson or vice-chairperson, the county board shall elect one
61 (1) of its members temporary county board chairperson. The annual meeting shall be
62 opened with an invocation offered by a member of the clergy selected in rotation
63 without discrimination as to race, gender, sex, sexual orientation, and gender identity
64 and expression, creed, or religious affiliation, who shall serve without compensation.
65 Regular meetings may be opened with an invocation.

66

67

SECTION 2.

68

69

Chapter 4, of the Milwaukee County Code of General Ordinances, up to and
70 including _____, is hereby amended as follows:

71

72

4.21. Nondiscrimination.

73

74

Each air carrier and air transportation company operating at General Mitchell
74 International Airport shall conduct its operation, maintenance, improvement and use of
75 the property and facilities at the airport so that no person, on the grounds of race, color,
76 sex, sexual orientation, gender identity and expression, ancestry or national origin, shall
77 be excluded from participation in, denied the benefits of, or be otherwise subjected to
78 discrimination in the use of said facilities; that in the construction of any improvements
79 on, over or under such land and the furnishing of services thereon, no person, on the

80 grounds of race, color, sex, sexual orientation, gender identity and expression, ancestry
81 or national origin, shall be excluded from participation in, denied the benefits of, or be
82 otherwise subjected to discrimination. Each air carrier and air transportation company
83 shall use the premises in compliance with all other requirements imposed by or
84 pursuant to title 49, Code of Federal Regulations, department of transportation, subtitle
85 A, office of the secretary, part 21, nondiscrimination in federally assisted programs of
86 the department of transportation - effectuation of title VI of the Civil Rights Act of 1964,
87 and as said regulations may be amended.

88

89 **SECTION 3.**

90

91 Chapter 15, of the Milwaukee County Code of General Ordinances, up to and
92 including _____, is hereby amended as follows:

93

94 **15.215. Investment of county funds.**

95 (3) *Investments with firms conducting business activities in South Africa.* Whenever
96 county funds are to be invested or deposited in the firms which do business in or with
97 the Republic of South Africa, the county shall make reasonable efforts to place these
98 deposits or investments in companies which have demonstrated a high level of social
99 responsibility and bonds which fund infrastructure development, including water supply
100 electrification and housing.

101 The investment firms doing business with the county should also be encouraged to
102 adhere to the following guiding principles in their Republic of South Africa operations:

103

104 (a) Eliminate discrimination based on race, religion, sex, sexual orientation, gender
105 identity and expression, ~~physical handicap disability,~~ or political opinion;

106

107 **SECTION 4.**

108

109 Chapter 17, of the Milwaukee County Code of General Ordinances, up to and
110 including _____, is hereby amended as follows:

111

112 **17.207. Grievance procedure.**

113 (1) *Application; exceptions.* A grievance shall mean any controversy which exists as a
114 result of an unsatisfactory adjustment or failure to adjust a claim or dispute by a non_
115 represented employee or group of non-represented employees concerning the
116 application of wage schedules and provisions relating to hours of work and working
117 conditions and non-represented employees as well as students of county-operated or
118 affiliated training programs or county employees in the unclassified service
119 concerning discrimination based on race, sex, sexual orientation, gender identity and

120 expression, age, ancestry or nationality, political or religious affiliation, creed, or
121 handicap disability. The grievance procedure shall not be used to change existing wage
122 schedules, hours of work, working conditions, fringe benefits and position classifications
123 established by ordinances and rules which are matters processed under existing
124 procedures.

125

126 **SECTION 5.**

127

128 Chapter 23, of the Milwaukee County Code of General Ordinances, up to and
129 including _____, is hereby amended as follows:

130

131 **23.03. Public meetings.**

132

133 (4) There shall be no discrimination because of race, religion, color, national origin or
134 sex, sexual orientation, or gender identity and expression, in the utilization of county
135 buildings and facilities for governmental business, public meetings for free discussion of
136 public questions or for civil activities.

137 **SECTION 6.**

138

139 Chapter 30, of the Milwaukee County Code of General Ordinances, up to and
140 including _____, is hereby amended as follows:

141

142 **30.11. Discrimination prohibited.**

143 Section 111.322(2m), Wis. Stats., applies to any discriminatory acts arising in connection
144 with the filing of any complaint to enforce rights under this chapter. In addition to the
145 prohibited bases of discrimination in Section 111.321, Wis. Stats., discrimination is also
146 prohibited on the bases of gender identity and gender expression.

147

148 **SECTION 7.**

149

150 **33.01. Enactment.**

151 (1) *Legislative intent.* For the purpose of separating the personnel administrative
152 functions of the existing civil service commission from the quasijudicial functions vested
153 in such commission, and to assure that the discipline or discharge of county employees
154 is not influenced by political considerations, nepotism, personal friendship or animosity,
155 race, creed, color, ancestry or national origin, sex, sexual orientation, gender identity and
156 expression, physical handicap disability, age or representative status except as provided
157 by law, it is the intent of the county, acting under the authority of chapter 118, Laws of
158 1973, relating to county reorganization, to establish a personnel review board, and to
159 transfer the duties and responsibilities as prescribed in ss. 63.10 and 63.12, Wis. Stats., as

160 far as they relate to the discipline and discharge of employees and all of the duties and
161 responsibilities prescribed in section 17.207 of the Code.

162

163 **SECTION 8.**

164

165 Chapter 46, of the Milwaukee County Code of General Ordinances, up to and
166 including _____, is hereby amended as follows:

167

168 **46.09. Purchase of care and services by the county.**

169

170 (5) Provision that no qualified recipient is to be denied service or to be subjected to
171 unlawful discrimination because of race, color, creed, national origin, age, religion, sex,
172 sexual orientation, gender identity and expression, handicap or other developmental
173 disability as defined in s. 55.01(2)-106.50, Wis. Stats.

174

175 **SECTION 9.**

176 Chapter 56, of the Milwaukee County Code of General Ordinances, up to and
177 including _____, is hereby amended as follows:

178

179 **56.17. Nondiscriminatory contracts.**

180 (1a) All contracts except those exclusions listed in paragraph (e) let by or on
181 behalf of the county, shall include the following provisions:

182 In the performance of work or execution of this contract, the contractor shall
183 not discriminate against any employee or applicant for employment because of race,
184 color, national origin or ancestry, age, sex, sexual orientation, gender identity and
185 gender expression, disability or handicap, marital status, family status, lawful source of
186 income, or status as a victim of domestic abuse, sexual assault or stalking, which shall
187 include but not be limited to the following: employment, upgrading, demotion or
188 transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or
189 other forms of compensation; and selection for training including apprenticeships. The
190 contractor will post in conspicuous places, available for employment, notices to be
191 provided by the county setting forth the provisions of the nondiscriminatory clause. A
192 violation of this provision shall be sufficient cause for the county to terminate the
193 contract without liability for the uncompleted portion or for any materials or services
194 purchased or paid for by the contractor for use in completing the contract.

195

196 **SECTION 10.**

197

198 Chapter 90, of the Milwaukee County Code of General Ordinances, up to and
199 including _____, is hereby amended as follows:

200

201 **90.04. Board of directors.**

202 There shall be a representative governing and policy-making board of directors, which
203 shall have charge of the operation and administration of the program. In accord with the
204 requirement of s. 51.38(6)(a), Wis. Stats., the county board of public welfare, as
205 established by s. 46.21, Wis. Stats., shall constitute the board of directors of the county
206 day care service. The composition and appointment of the board of directors and the
207 terms of members thereof shall be governed by the provisions of said s. 46.21, Wis.
208 Stats.

209 (1) Subject to s. 51.38, Wis. Stats., and rules of the state department of public welfare,
210 the board of directors shall have the following powers and duties:

211 (a) To appoint the administrator of the county day care service program, who shall be
212 responsible to the board in the operation of the program.

213 (b) To define the program and formulate the necessary policies for its implementation,
214 with the cooperation of the administrator.

215 (c) To establish salaries and personnel policies for the program.

216 (d) To review and evaluate the services of the day care program so as to assure
217 conformance with the basic plan and budget, including periodic reporting to the
218 director, local public officials, the program administrator and the public, and to make
219 recommendations for changes in program and services when indicated.

220 (e) To assist in arranging and promoting local financial support for the program from
221 private and public sources.

222 (f) To assist in arranging cooperative working agreements with other health, vocational
223 and welfare services, public and private, and with other related agencies.

224 (g) To establish fee schedules based upon ability to pay.

225 (h) To review the fiscal practices, the annual plan and budget, and make
226 recommendations.

227 (i) To provide that no one be denied services on the basis of race, color, ~~or~~ creed, sex,
228 sexual orientation, gender identity and gender expression, or inability to pay.

229 **SECTION 11.**

230

231 Chapter 107 of the Milwaukee County Code of General Ordinances, up to and including
232 _____, is hereby amended as follows:

233

234 **107.01. Intent.**

235 It is the intent of this chapter to render unlawful discrimination in housing and to enact
236 this chapter pursuant to the authority granted to counties by s. 66.432(2), Wis. Stats. It is
237 the declared policy of the county that all persons shall have an equal opportunity for
238 housing regardless of age, sex, sexual orientation as defined in s. 111.32(13m), Wis.
239 Stats., gender identity and gender expression, race, color, handicap disability, religion,

240 creed, national origin or ancestry, or marital status of the person maintaining a
241 household, or status as a victim of domestic abuse, sexual assault, or stalking, or lawful
242 source of income, age, ancestry or sexual orientation as defined in s. 111.32(13m), Wis.
243 Stats.

244

245 **107.02. Definitions.**

246

247 In this chapter unless the context requires otherwise:

248 (1) "Housing" means any improved property, including any mobile home as
249 defined in s. 66.058, Wis. Stats., which is used or occupied, or is intended,
250 arranged or designed to be used or occupied, as a home or residence.

251 (2) "Discriminate" and "discrimination" mean to segregate, separate, exclude
252 or treat any person or class of persons unequally because of age, sex, gender
253 identity and gender expression, race, color, handicap disability, religion, creed,
254 national origin or ancestry, or marital status of the person maintaining a
255 household, family status, status in a domestic partnership, lawful source of
256 income, age, ancestry, or sexual orientation as defined in s. 111.32(13m), Wis.
257 Stats., or status as a victim of domestic abuse, sexual assault, or stalking. It is
258 intended that the factors set forth herein shall be the sole basis for prohibiting
259 discrimination.

260 (3) "~~Handicap~~" "Disability" means ~~any physical disability or any developmental~~
261 ~~disability as defined under s. 51.01(5)(a), Wis. Stats.~~ a physical or mental
262 impairment that substantially limits one or more major life activities, a record of
263 having such an impairment or being regarded as having such an impairment as
264 defined in s. 106.50 Wis. Stats. "Disability" does not include the current illegal use
265 of a controlled substance, as defined in s. 961.01(4) Wis. Stats., or a controlled
266 substance analog, as defined in s. 961.01(4m) Wis. Stats., unless the individual is
267 participating in a supervised drug rehabilitation program.

268 (4) "Unimproved residential lot" means any residential lot upon which no
269 permanent building or structure containing living quarters has been constructed.

270 (5) "Condominium" means property subject to a condominium declaration
271 under ch. 703, Wis. Stats.

272 (6) "Condominium association" means an association as defined in s.
273 703.02(1m), Wis. Stats.

274 (7) "Gender identity" is the actual or perceived condition, status or acts of:

275 a) Identifying emotionally or psychologically with the sex other than
276 one's biological or legal sex at birth, whether or not there has been a
277 physical change of the organs of sex;

278 (b) Presenting and/or holding oneself out to the public as a member of
279 the biological sex that was not one's biological or legal sex at birth;

280 (c) Lawfully displaying physical characteristics and/or behavioral
281 characteristics and/or expressions which are widely perceived as being
282 more appropriate to the biological or legal sex that was not one's
283 biological or legal sex at birth, as when a male is perceived as feminine
284 or a female is perceived as masculine; and/or

285 (d) Being physically and/or behaviorally androgynous.

286 (8) "Gender expression" refers to all of the external characteristics and
287 behaviors that are socially defined as either masculine or feminine, such as dress,
288 grooming, mannerisms, speech patterns and social interactions. Social or cultural
289 norms can vary widely and some characteristics that may be accepted as
290 masculine, feminine or neutral in one culture may not be assessed similarly in
291 another.

292

293 **SECTION 12.**

294

295 Appendix F, Article XVII., of the Milwaukee County Code of General Ordinances,
296 up to and including _____, is hereby amended as follows:

297

298 **Section 1702 Nondiscrimination.**

299

300 Each air carrier and air transportation company operating at the Airport shall conduct its
301 operation, maintenance, improvement and use of the property and facilities at the
302 airport so that no person, on the grounds of race, color, ancestry or national origin, sex,
303 sexual orientation, or gender identity and expression, shall be excluded from
304 participation in, denied the benefits of, or be otherwise subjected to discrimination in
305 the use of said facilities; that in the construction of any improvements on, over or under
306 such land and the furnishing of services thereon, no person, on the grounds of race,
307 color, ancestry or national origin, sex, sexual orientation, or gender identity and
308 expression, shall be excluded from participation in, denied the benefits of, or be
309 otherwise subjected to discrimination. Each air carrier and air transportation company
310 shall use the premises in compliance with all other requirements imposed by or
311 pursuant to title 49, Code of Federal Regulations, department of transportation, subtitle
312 A, office of the secretary, part 21, nondiscrimination in federally assisted programs of
313 the department of transportation - effectuation of title VI of the Civil Rights Act of 1964,
314 and as said regulations may be amended and all Milwaukee County rules and
315 regulations, policies, procedures and ordinances in effect or as they may be amended
316 from time to time.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: April 2, 2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A Resolution/Ordinance amending Chapters 1, 4, 15, 17, 23, 30, 33, 46, 56, 90, 107 and Appendix F, Article XVII of the Milwaukee County Code of General Ordinances by expanding and defining Milwaukee County's non-discrimination policy to ensure equal opportunity to all persons from all segments of Milwaukee County in contracting, employment and promotional opportunity and equal access to public services

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.

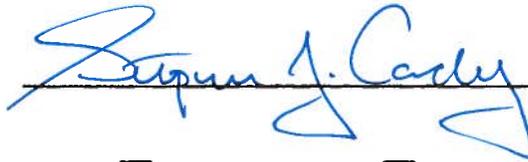
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
 - B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current 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. Approval of this resolution/ordinance would authorize changes to Milwaukee County General Ordinances to expand and define non-discrimination policies to ensure equal opportunity to all persons from all segments of Milwaukee County in contracting, employment and promotional opportunity and equal access to public services. The resolution would also direct the Human Resources Director to present the changes to the Civil Service Commission with the recommendation that the Civil Service Rules be updated to reflect the following classes for protection from discrimination: sexual orientation, gender identity and expression.
 - B. Approval of this resolution would not require an expenditure of funds, but would require existing staff time to communicate its contents to the appropriate individuals. It is anticipated that there may be some minor costs to update forms and other printed materials to reflect the new antidiscrimination policies. It is expected that these costs would be absorbed within existing appropriations.
 - C. None.
 - D. None.

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

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

Department/Prepared By Steve Cady, Research and Policy Director, Office of the Comptroller

Authorized Signature



Did DAS-Fiscal Staff Review?

Yes

No

Did CBDP Review?²

Yes

No

Not Required

1 By Supervisor Rainey

File No. 14-

2

3

A RESOLUTION

4

To develop a Voter Registration Program (the "Program") that allows Milwaukee County residents to register to vote at locations where they apply for, renew or update information for the receipt of social services from Milwaukee County in order to expand access to voter registration for all citizens of Milwaukee County.

5

6

7

8

WHEREAS, this legislation will provide Milwaukee County residents with an accessible and convenient opportunity to register to vote for state and local elections and maintain their voter registration; and

9

10

11

12

WHEREAS, this Program requires that Milwaukee County provide forms and assistance for voter registration when a qualifying voter applies for or renews social services or updates address information related to those services; and

13

14

15

16

WHEREAS, this Program -requires that Milwaukee County provide voter registration forms at its offices that provide public assistance and state-funded programming, such as food share, disability services, housing assistance, child support, and veteran services; and

17

18

19

20

WHEREAS, this Program requires that Milwaukee County provide each applicant for new social services or renewal of those services, as well as recipients who provide updated address information, with a voter registration or declination form and assistance in completion of the form as provided by law; and

21

22

23

24

25

WHEREAS, this Program also creates requirements for Milwaukee County to forward completed application forms to the appropriate local election officials and provide timely notification in conjunction with the Milwaukee County Election Commission to voter registration applicants regarding whether their applications are accepted or rejected; and

26

27

28

29

30

31

WHEREAS, this Program requires that Milwaukee County institute safeguards to ensure uniformity and non-discriminatory practices in its initiation and that its implementation occur at least 90 days before the next state or local election; now, therefore,

32

33

34

35

36

BE IT RESOLVED, that the Milwaukee County Board supports the establishment of a Voter Registration Program to provide additional opportunities for its citizens to become registered to vote; and

37

38

39

40

BE IT FURTHER RESOLVED, that the Program shall provide voter registration forms and assistance to qualifying voters who are applying for or renewing social services provided by Milwaukee County; and

41

42

43 BE IT FURTHER RESOLVED, that the Program shall include an automated text
44 messaging feature where voters can receive text alerts prior to, and on, election days in
45 Milwaukee County; and

46
47 BE IT FURTHER RESOLVED, that the Office of Corporation Counsel shall develop a
48 recommended ordinance and related procedures to formally implement the Program, to be
49 considered by the Milwaukee County Board of Supervisors as soon as practicable.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: April 2, 2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Developing a Voter Registration Program to allow residents to register to vote on site when applying for other social services offered by Milwaukee County.

FISCAL EFFECT:

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

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

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

DESCRIPTION OF FISCAL EFFECT

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

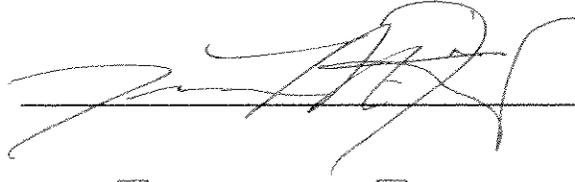
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
 - A. Approval of this resolution will establish a Voter Registration Program that will provide voter registration forms and assistance to residents when they apply for and/or renew applications for other social services provided by Milwaukee County.
 - B. Existing staff time would be needed to accomplish the intent of this resolution, resulting in no fiscal impact for 2014 or 2015. The resolution requires that Corporation Counsel develops this program into a formal ordinance to be reviewed by the County Board as soon as practicable. Any future costs or fiscal impacts of a subsequent resolution will have its own fiscal note.
 - C. This resolution will have no budgetary impact in 2014. As stated in the previous paragraph, if an ordinance is submitted to formally implement this program in the future, the fiscal note for that ordinance shall indicate any fiscal and budgetary impacts.
 - D. None.

Department/Prepared By Jessica Janz-McKnight, Research Analyst, Office of the Comptroller

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.

Authorized Signature

A handwritten signature in black ink, appearing to be 'J. [unclear]', written over a horizontal line.

Did DAS-Fiscal Staff Review?

Yes

No

Did CDBP Review?²

Yes

No

Not Required

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: March 25, 2014

TO: Marina Dimitrijevic, Chairwoman, County Board of Supervisors

FROM: James M. Carroll, Principal Assistant Corporation Counsel

SUBJECT: *Carnell Pearson, et al. v. Milwaukee County, et al.*
Milwaukee County Case No. 2012CV003542

I request that this matter be referred to the Committee on Judiciary, Safety and General Services for approval of a settlement. I request authority to settle the claims of plaintiff Carnell Pearson ("Pearson") for the total sum of \$10,000.00, which will be paid by Wisconsin County Mutual Insurance Corporation. Please note that Pearson's attorney's fees and costs will be deducted from this \$10,000.00 total amount.

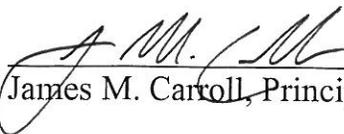
This case involves a personal injury claim resulting from an incident that occurred on December 1, 2008 on State Highway 49 in Dodge County, Wisconsin. Pearson was an inmate being transported by Milwaukee County van from the Milwaukee County Jail to Dodge Correctional Institution. The van driver, a Milwaukee County Sheriff's Deputy, lost control of the van on the snowy and icy road surface, causing the vehicle to slide off the road and into a ditch, where it flipped onto its driver's side.

As a result of the van roll-over, Pearson claims ongoing and permanent back and leg injuries. He claims \$5,000.00 to \$10,000.00 in medical specials attributable to this accident, though the precise figure is difficult to substantiate because he was treated exclusively in the corrections setting. He also claims continuing pain, for which he has sought treatment, and accompanying limitations on his daily activities. Because this was a one vehicle accident, Milwaukee County really has no defense to the liability aspect of the case. The only issue for trial is the extent of Pearson's damages.

This proposed settlement resulted from a court-ordered mediation held on February 26, 2014. The settlement provides that the Wisconsin County Mutual Insurance Corporation will pay Mr. Pearson and his attorneys \$10,000.00. In return, Mr. Pearson will dismiss his suit and provide the County with a full and

complete release from any liability. The payment will be applied to the County's deductible with the County Mutual.

Corporation Counsel and the Wisconsin County Mutual recommend this settlement for approval.



James M. Carroll, Principal Assistant Corporation Counsel

cc: Amber Moreen
Kelly Bablitch
Alexis Gassenhuber
Raisa Koltun
Jessica Janz-McKnight

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: March 25, 2014

TO: Marina Dimitrijevic, Chairwoman, County Board of Supervisors

FROM: James M. Carroll, Principal Assistant Corporation Counsel

SUBJECT: *George Tuttle, et al. v. Milwaukee County, et al.*
Milwaukee County Case No. 2012CV003542

I request that this matter be referred to the Committee on Judiciary, Safety and General Services for approval of a settlement. I request authority to settle the claims of plaintiff George Tuttle ("Tuttle") for the total sum of \$10,000.00, which will be paid by Wisconsin County Mutual Insurance Corporation. Please note that Tuttle's attorney's fees and costs will be deducted from this \$10,000.00 total amount.

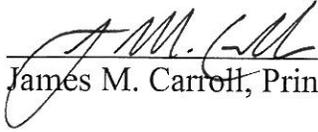
This case involves a personal injury claim resulting from an incident that occurred on December 1, 2008 on State Highway 49 in Dodge County, Wisconsin. Tuttle was an inmate being transported by Milwaukee County van from the Milwaukee County Jail to Dodge Correctional Institution. The van driver, a Milwaukee County Sheriff's Deputy, lost control of the van on the snowy and icy road surface, causing the vehicle to slide off the road and into a ditch, where it flipped onto its driver's side.

As a result of the van roll-over, Tuttle claims ongoing and permanent back injuries. He claims \$5,000.00 to \$10,000.00 in medical specials attributable to this accident, though the precise figure is difficult to substantiate because he was treated almost exclusively in the corrections setting. He also claims continuing pain, for which he has sought treatment, and accompanying limitations on his daily activities. Because this was a one vehicle accident, Milwaukee County really has no defense to the liability aspect of the case. The only issue for trial is the extent of Tuttle's damages.

This proposed settlement resulted from a court-ordered mediation held on February 26, 2014. The settlement provides that the Wisconsin County Mutual Insurance Corporation will pay Mr. Tuttle and his attorneys \$10,000.00. In return, Mr. Tuttle will dismiss his suit and provide the County with a full and complete

release from any liability. The payment will be applied to the County's deductible with the County Mutual.

Corporation Counsel and the Wisconsin County Mutual recommend this settlement for approval.



James M. Carroll, Principal Assistant Corporation Counsel

cc: Amber Moreen
Kelly Bablitch
Alexis Gassenhuber
Raisa Koltun
Jessica Janz-McKnight

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: March 28, 2014

TO: Theodore Lipscomb Sr., Chairman
Committee on Judiciary, Safety and General Services

Willie Johnson & David Cullen, Co-Chairmen
Committee on Finance, Personnel and Audit

FROM: Mark A. Grady, Deputy Corporation Counsel *MAG*

SUBJECT: Status update on pending litigation

The following is a list of some of the significant pending cases that we believe may be of interest to the Committees. New information and additions to the list since the last committee meetings are noted in **bold**. However, our office is prepared to discuss any pending litigation or claim involving Milwaukee County, at your discretion.

1. *DC48 v. Milwaukee County* (Rule of 75)
Case No. 11-CV-16826 (stay of case until March 14, 2014)
2. Retiree health plan (co-pays, deductibles, etc.) cases:

Estate of Hussey v. Milwaukee County (Retiree health)
Case No. 12-C-73 (U.S. Seventh Circuit Court of Appeals affirmed ruling in County's favor)

MDSA prohibited practice complaint
WERC Case No. 792 No. 71690 MP-4726

Rieder & MDSA v. Milwaukee County
Case No. 12-CV-12978 (circuit court ruled in County's favor; MDSA filed appeal to Court of Appeals)

3. Medicare Part B premium reimbursement cases:

FNHP and AMCA v. Milwaukee County

Case No. 12-CV-1528 (Court of Appeals ruled in favor of County; Wisconsin Supreme Court has accepted review)

DC48 et al. (Martel) v. Milwaukee County et al.

Case No. 12-CV-13612 (stayed pending outcome of case above)

4. 1.6% Pension Multiplier cases:

Stoker & FNHP v. Milwaukee County

Case No. 11-CV-16550 (Court of Appeals ruled against County, Petition for Review filed with Wisconsin Supreme Court)

AFSCME v. Milwaukee County

Case No. 12-CV-9911 (stayed pending *Stoker* appeal)

Brillowski & Trades v. Milwaukee County

Case No. 12-CV-13343 (stayed pending *Stoker* appeal)

5. Pension backdrop modification case:

FNHP, AMCA & AFSCME v. Milwaukee County and ERS

Case No. 13-CV-3134

6. *Wosinski et al. v. Advance Cast Stone et al.* (O'Donnell Park)

Case No. 11-CV-1003 (Jury Verdict)

7. *Christensen et al. v. Sullivan et al.* (jail population and health care)

Case No. 96-CV-1835

8. *Milwaukee Riverkeeper v. Milwaukee County* (Estabrook dam)

Case No. 11-CV-8784 (court found dam a nuisance and ordered repair or removal)

9. *Midwest Development Corporation v. Milwaukee County* (Crystal Ridge)

Case No. 12-CV-11071

10. Froedtert Hospital petition to disturb burial sites – petition granted by State.

11. *Roeschen's Healthcare LLC v. Milwaukee County* (public records)

Case No. 13-CV-3853 (court ordered records produced; attorneys' fee issue remaining)

12. *MTS v. Milwaukee County* (public records)
Case No. 13-CV-7234 (court ordered records produced; court order regarding attorneys' fees expected)
13. *Orlowski v. Milwaukee County* (2007 death of inmate in HOC)
Case No. 13-C-994 (E.D. Wis. federal court)
14. *Madison Teachers Inc. v. Walker*
Dane County Circuit Court Case No. 11-CV-3774 (Act 10)(pending in Wisconsin Supreme Court)
15. *Jane Doe v. Milwaukee County (sexual assault by CO in jail)*
Case No. 14-CV-200 (E.D. Wis. federal court)
16. *AFSCME, DC48 v. Milwaukee County (laid off housekeepers)*
Case No. 14-C-340 (E.D. Wis. federal court)
17. **State ex rel Rice v. Dimitrijevic et al (open meetings)**
Case No. 13-CV4222
18. **Physiogenix v. Milwaukee County, WE Energies et al (Research Park power)**
Case No. 14-CV-1780