



OFFICE OF THE COUNTY EXECUTIVE

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Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

Date: July 1, 2014
To: Marina Dimitrijevic, County Board Chairwoman
From: Chris Abele, County Executive
Subject: Appointment of Mr. Clarence Nicholas to the Ethics Board

Pursuant to the provisions set forth in Sec. 9.07 and Sec. 9.08 of Milwaukee County Ordinances and subject to the confirmation of your Honorable Body, I am hereby appointing Mr. Clarence Nicholas to the Milwaukee County Ethics Board. Mr. Nicholas will fill the seat of a recommendation from the NAACP. Mr. Nicholas' term will expire February 28, 2020.

A copy of Mr. Nicholas' biography is attached for your review.

Your consideration and confirmation of this appointment is appreciated.

Chris Abele
County Executive

Cc: Supervisor Willie Johnson Jr., Co-Chairman, Finance Personnel and Audit Committee
Supervisor David Cullen, Co-Chairman, Finance Personnel and Audit Committee
Kelly Bablitch, Chief of Staff
Janelle Jensen, Committee Clerk
Mr. Clarence Nicholas



Name: CLARENCE PEYTON NICHOLAS

Marriage: Gloria Pitchford-Nicholas

Children: 4 girls, 1 grandson & 4 granddaughters

Home Address Municipality: Milwaukee, Wisconsin

Graduate Studies:

Cardinal Stritch University

Milwaukee, WI

MS.ED 2005

Superintendent/District Superintendent Studies Completed 2006 (Application Pending Processing).

Milwaukee Area Technical College (MATC)

Milwaukee, WI

Para-legal Certification 2010

Undergraduate Studies:

Wilberforce University

Wilberforce, Ohio

BS.ED 1970

Community Involvement:

1980 A.A.A. Scottish Rite Mason

Of the World Supreme Court

Mount Moriah Missionary Baptist Church

Deacon/Church Clerk since 1996

Sunday School Superintendent

Professional/Community Leader:

Card Carrying Member of Milwaukee Teachers' Education Association (1970-2007)

2nd Vice-President of Sherman Park Community Association 1973-75

Founder/Organizer of the Milwaukee Black Teachers' Caucus, LTD (1976-1984)

Current: Milwaukee NAACP Secretary

Wisconsin Department of Public Instruction License/Permit Information
Information valid as of Thu Jan 20 12:43:52 CST 2011

Most Recent:

License Type: 20 Initial Educator
Position/Level: 10 DIRECTOR OF INSTRUCTION
Subject: N/A
Low Grade: PK Pre-Kindergarten High Grade: 12 Twelfth Grade

Valid: July 1, 2006 through June 30, 2011
License Type: 20 Initial Educator
Position/Level: 51 PRINCIPAL
Subject: N/A
Low Grade: PK Pre-Kindergarten High Grade: 12 Twelfth Grade

Valid: Life starting on July 1, 1973
License Type: 08 Life License
Position/Level: 45 ELEMENTARY TEACHER
Subject: 118 FIRST THRU EIGHTH GRADE
Low Grade: 01 First Grade High Grade: 08 Eighth Grade

Prior Licenses/Permits:

Valid: July 1, 2002 through June 30, 2007
License Type: 05 5-years License
Position/Level: 21 GRADES 6-12
Subject: 952 ALTERNATIVE EDUCATION PROGRAM
Low Grade: 06 Sixth Grade High Grade: 12 Twelfth Grade

Valid: July 1, 1996 through June 30, 2001
License Type: 05 5-years License
Position/Level: 21 GRADES 6-12
Subject: 952 ALTERNATIVE EDUCATION PROGRAM
Low Grade: 06 Sixth Grade High Grade: 12 Twelfth Grade

Valid: July 1, 1970 through June 30, 1973
License Type: 03 3-year License
Position/Level: 45 ELEMENTARY TEACHER
Subject: 118 FIRST THRU EIGHTH GRADE
Low Grade: 01 First Grade High Grade: 08 Eighth Grade



MILWAUKEE POLICE DEPARTMENT Intelligence Fusion Center

ShotSpotter Program Progress Report

ShotSpotter Program Notes

IFC continues to refine the law enforcement sensitive 21-day analysis report that now combines ShotSpotter (SST) data, National Integrated Ballistic Information Network (NIBIN) data, investigative and intelligence data. This product is disseminated throughout the Milwaukee Police Department (MPD) and the High Intensity Drug Trafficking Area (HIDTA).

In May, SST assigned Project Manager Mario Barrionuevo to help coordinate the Milwaukee expansion project. Police Officer James McNichol of the IFC and Mr. Barrionuevo have worked closely to select acoustic sensor sites. The expansion will consist of 110 sensors installed throughout the city of Milwaukee. Each individual site required specific permission from the owner/operator for the installation to occur. Sensor installations began in June and are continuing through July.

The Field Technology Unit is installing the Flex Alerts Portal into Department vehicle's equipped with Mobile Data Computers (MDC) in those areas where expansion is occurring.

IFC is also developing a Standard Operating Procedure for the SST system and identifying best practices for responding to detection alerts.

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APR 24 2014

Sup Alexander
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Judiciary
12-10

(ITEM) A resolution by Supervisors Weishan, Jr., Broderick, and Rainey providing for an advisory referendum on the November 4, 2014, election ballot 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, by recommending adoption of the following:

A RESOLUTION

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

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

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

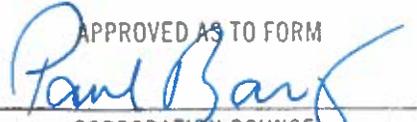
WHEREAS, based on a recent financial analysis, the Baseball Park District sales tax will most likely sunset between 2017 and 2018; and

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

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

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

Shall the State of Wisconsin grant Milwaukee County the authority to provide property tax relief of at least sixty-seven million dollars (\$67 million) by levying a one percent (1%) county sales and use tax to be used to remove the following three items from the property tax levy: parks, recreation and culture, transit and

APPROVED AS TO FORM

CORPORATION COUNSEL

46 *emergency medical services (EMS)?*

47

48 ; and

49

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

52

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

57

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

61

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

65

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

69

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

74

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

82

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

86

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

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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 election
92 to be held on November 4, 2014, for the purpose of submitting to the qualified electors of
93 the County the proposition of whether tax dollars should be allocated to pay for the
94 construction of a new sports and entertainment arena in the City of Milwaukee. The
95 referendum shall be held, noticed, and conducted following the procedures set forth in
96 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 the
101 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



COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

Office of the Comptroller

DATE : June 4, 2014
TO : Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors
FROM : Scott B. Manske, Comptroller
SUBJECT: Request to Update Milwaukee County General Ordinances Chapters 32, 44, 46, 56 and 110 (REVISED)

Policy Issue

A recent review of the related County Ordinances containing the method for appealing an award from a Request for Proposal (RFP) process results in this request to the County Board to modify the policy contained within the ordinances. The relevant chapters include Chapter 32 on Procurement, Chapter 44 on Public Works Contracts, Chapter 46 on Purchase of Service Contracts, Chapter 56 on Professional Services and Chapter 110 on Municipal Administrative procedure. The recommended changes to the Ordinances are intended to clarify and unify the appeal procedures for all county contracts and bids and to provide further direction to Department Heads in the preparation and execution of RFPs.

Current Ordinances

Chapter 56 establishes the procedure by which contracts for Professional Services are issued and the requirements of departments when executing those contracts. It does not currently specify any procedure to follow in the event of an appeal of a contract resulting from an RFP process. Chapter 46 contains the procedure by which the Department of Health and Human Services (DHHS) awards Purchase of care and services contracts. It does not currently specify any procedure to follow in the event of an appeal of a contract resulting from an RFP process.

Chapters 32 and 44 contain different appeal procedures following the award of a project pursuant to bids and following the award of a contract for non-professional services or for commodities.

Chapter 110 of the Milwaukee County General Ordinances establishes that any person having a substantial interest which is adversely affected by an administrative determination by the County may have such determination reviewed under the specifics laid out in this Chapter.

Recommended Changes

The first major recommended change is to have all awards of contracts or bids by the county be governed by the same appeal process. Thus, any award of a contract for nonprofessional services or for commodities under chapter 32, any award of a project pursuant to a bid process under chapter 44, any award of a contract for a DHHS purchase of service contract under chapter 46 and any award of a contract for professional services under chapter 56 will be governed by one appeal process; that process is contained in a new section 110.20 of the ordinances. Amendments are made to chapters 32, 44, 46, 56 and 110 to cross-reference the new contract award review process now contained in chapter 110.20.

The steps of the new process are as follows:

- a notice is given to the bidders or proposers of the intent to award,
- an aggrieved party may request a review by the authority by filing a request within 10 business days; the request for review must include the party's reasons for reconsideration,
- the authority must provide a response within 15 business days, but that deadline may be extended by the authority up to a total of 45 calendar days;
- the aggrieved party may request a review within 5 business days of the response and must pay a deposit of \$1,000 towards the costs of the review;
- a Contract Award Reviewer is assigned to hear the review and may conduct any type of review proceeding the reviewer deems appropriate;
- The Reviewer is charged with determining if substantial procedural irregularities occurred in the RFP process and if the notice of intent to award should be rescinded;
- The reviewer issues a decision within 45 calendar days of the request.

A pool or panel of three reviewers is created to hear the reviews. The individuals are appointed by the County Executive with confirmation by the County Board. The reviewers must have experience with procurement or legal issues related to procurement. They serve three year terms and may be re-appointed. The reviews are assigned by alphabetical rotation among the reviewers. The reviewers are entitled to payment of an hourly rate set by the budget or, if not set in the budget, set by the Procurement Director. The County authority and the party that requested the review are each responsible for one-half of the cost of review. A requester must pay a \$1,000 deposit towards those costs.

The test to be applied by the reviewer is whether substantial rights of a party were so materially affected by procedural irregularities during the RFP or bid solicitation process that the notice of intent to award should be rescinded.

The existing process contained in chapter 110 remains in place for all other reviews that are not contract award reviews.

Chapter 56 – Professional Services

There are three major changes recommended for Chapter 56. First, the ordinance should be modified to direct all departments to include an appeal provision in their RFP that states that the County will follow the procedure established under Milwaukee County General Ordinances Chapter 110.20 for appeals of awards for RFPs. Second, Chapter 56 should also be modified to state that any appeal of intent to award in an RFP process will follow Chapter 110.20. This provides for instances where a department fails to include the necessary language in their RFP.

The third modification is the inclusion of the following listed requirements in the request to the Board for approval of any professional service contract:

- Department name and number.
- Dollar amount of contract.
- Name of professional services vendor under contract
- Length of time of contract
- Purpose of contract.
- Manner in which County policy on DBE goals was met, if applicable.
- Termination clauses
- Number of responses to RFP
- Whether any appeals were filed

Chapter 32 – Subchapter II - Procurement

Under County Ordinance Chapter 32, the office of procurement has an appeal process for both RFP and bids that is separate from Chapter 110 of the ordinances. The appeal process under Chapter 32 uses a Purchasing Standardization Committee, which generally would consist of other outside procurement directors. The changes proposed under Chapter 32 would be to eliminate the use of a Purchasing Standardization Committee from the appeal process for an RFP. Instead, the appeal would use the new section 110.20 of the County Ordinances, as proposed.

Chapter 44 – Public Works Contracts

Under this chapter a public works contract includes contracts for the purchase of services in connection with public works and facilities management work. This work

shall be issued by competitive bid. The current appeal process under this chapter is Chapter 110, as currently written. The proposal would be to change the appeal process to Chapter 110.20, as proposed in the attached resolution.

Chapter 46 – DHHS Purchase of Service Contracts

Under this chapter, a DHHS purchase of services contract includes contracts in connection with the care or treatment services the DHHS is authorized by statute to provide or purchase; and the services the commission on aging is authorized by law to provide or purchase. DHHS currently uses Chapter 110 as its appeal process by including notification in its RFPs and Intent to Award letters. The proposed changes contained in the attached resolution would be to add the appeal process to Chapter 46 by stating DHHS will use Chapter 110.20 for any appeals.

Committee Action

Approval of the attached ordinance changes are requested by the Comptroller to clarify the County's appeal process in regards to the awarding of contracts under chapter 32, 44, 46 and 56 and the appeal process of Chapter 110 of Milwaukee County Ordinances, as a result of an RFP process.



Scott B. Manske
Comptroller

- cc: Chris Abele, County Executive
Supervisor Willie Johnson, Jr., Co-Chairman, Finance, Audit and Personnel Committee
Supervisor David Cullen, Co-Chairman, Finance, Audit and Personnel Committee
Don Tyler, Director, Department of Administrative Services
Stephen Cady, Research Director, Office of the Comptroller

A SUBSTITUTE RESOLUTION/ORDINANCE

(ITEM) From the Comptroller, recommending adoption of a resolution/ordinance to amend Chapters 32, 44, 46, 56 and 110 of the Milwaukee County Code of General Ordinances relating to an appeal process for review of contract or bid awards, by recommending adoption of the following:

A RESOLUTION

WHEREAS, a recent review of Chapters 56 – Professional Services and 110 – Municipal Administrative Procedure results in the need to modify the policy contained within the ordinances to clarify the review of contract awards following an RFP process and to provide further direction to Department Heads in the preparation and execution of RFPs; and

WHEREAS, Chapter 32 currently contains a separate review process for contracts covered by that chapter; and

WHEREAS, Chapter 44 currently contains a separate review process for bids covered by that chapter; and

WHEREAS, Chapter 56 establishes the procedure by which contracts for Professional Services are issued and the requirements of departments when executing those contracts and it does not currently specify any procedure to follow in the event of an appeal of a contract resulting from an RFP process; and

WHEREAS, Chapter 46 establishes the procedure by which purchase of service contracts are issued but does not currently specify any procedure to follow in the event of an appeal of a contract after award; and

WHEREAS, it is advantageous to have one process for the review of all contract or bid awards; and

38 WHEREAS, Chapter 110 of the Milwaukee County General Ordinances
39 establishes that any person having a substantial interest which is adversely
40 affected by an administrative determination by the County may have such
41 determination reviewed under the specifics laid out in this Chapter; and
42

43 WHEREAS, reviews of contract or bid awards should be addressed by a
44 procedure separate from the procedure currently applicable to other matters
45 addressed by Chapter 110; and
46

47 WHEREAS, all departments should include an appeal provision in their RFP
48 that states that the County will follow the procedure established herein; and
49

50 WHEREAS, the following listed items should be required in a request to the
51 Board for approval of any professional service contract:
52

- 53 • Department name and number.
- 54 • Dollar amount of contract.
- 55 • Name of professional services vendor under contract
- 56 • Length of time of contract
- 57 • Purpose of contract.
- 58 • Selection of qualified DBE firm, if applicable
- 59 • Termination clauses
- 60 • Number of responses to RFP
- 61 • Whether any appeals were filed; and
62

63 WHEREAS, as a part of the appeal process a panel of qualified reviewers
64 should be created by Milwaukee County and be comprised of three individuals
65 appointed by the County Executive and confirmed by the County Board; and
66

67 WHEREAS, requesters should be required to pay for one-half of the costs of
68 such reviews; now, therefore,
69

70 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
71 amends Chapters 32, 44, 46, 56 and 110 of the Milwaukee County Code of
72 General Ordinances by adopting the following:
73

74 **AN ORDINANCE**

75 The County Board of Supervisors of the County of Milwaukee does
76 ordain as follows:
77

78 **SECTION 1.** Chapter 110 of the General Ordinances of Milwaukee County is
79 amended as follows:
80

81 **110.01. ~~County election under s. 68.16, Wis. Stats.~~ County Procedure Act**

82 (a) The county elects not to be governed by the provisions of Ch. 68, Wis. Stats.,
83 except for s. 68.13, Wis. Stats., regarding judicial review, which shall apply to
84 circuit court certiorari reviews of ~~committee~~ final decisions under this chapter.
85 The common law rules applicable to certiorari review by a court shall govern
86 such appeals.

87 (b) Any person having a substantial interest which is adversely affected by an
88 administrative determination, as set forth in sections 110.02(b) and 110.20, of a
89 county authority, as defined in section 110.02 (a), below, may have such
90 determination reviewed as provided in this chapter.

91 (c) The remedies under this chapter shall be exclusive.

92 **110.02. - Definition and reviewable/non-reviewable determinations.**

93
94 (a) "County authority" includes every county body, board, commission,
95 committee, agency, officer, employe, or agent thereof making a determination
96 under subsection (b), except the county board of supervisors or a duly
97 constituted committee or subcommittee thereof.
98
99

100
101 (b) The following determinations are reviewable under ~~this chapter~~ subsections
102 110.03 – 110.10:

103
104 (1) Except as provided in section 110.02(c)(2) and 110.20, ~~the~~ grant or
105 denial in whole or in part after application of a ~~contract~~, permit, license,
106 right, privilege, or authority.

107
108 (2) The suspension, revocation or nonrenewal of an existing ~~contract~~, permit,
109 license, right, privilege, or authority.

110
111 (3) The denial of a grant of money or other thing of substantial value under
112 a statute or ordinance prescribing conditions of eligibility for such grant.

113
114 (4) The imposition of a penalty or sanction upon any person except a
115 county employe or officer, other than by a court.

116
117 (c) The following determinations are not reviewable under ~~this~~
118 chapter subsections 110.03 – 110.10:
119

120 (1) A legislative enactment. A legislative enactment is an ordinance,
121 resolution or adopted motion of the county board or any of its duly
122 constituted committees or subcommittees.

123
124 (2) Any action subject to administrative or judicial review procedures under
125 other statutes or county ordinances, including, but not limited to, actions
126 subject to review under section 110.20 of the ordinances.

127
128 (3) The denial of a tort or contract claim for money, required to be filed with
129 the county pursuant to-statutory procedures for the filing of such claims.

130 (4) The suspension, removal or disciplining or nonrenewal of a contract of a
131 county civil service employe, appointed employe, consultant, independent
132 contractor, contract employe or officer.

133
134 (5) Determinations made under chapter 32 of this code of general
135 ordinances.

136
137 (6) Judgments and orders of a court.

138
139 (7) Determinations made during county labor negotiations.

140
141 (8) Notwithstanding any other provisions of this chapter, any action or
142 determination of the county which does not involve the constitutionally
143 protected right of a specific person or persons to due process in connection
144 with the action or determination.

145
146 (9) A decision of the department of health and human services to deny,
147 suspend or revoke a child day care certification under s. 48.651, Wis. Stats. a
148 decision of the director of that department under s. 48.685(5c) (b), Wis. Stats.
149 to uphold a determination that a person desiring certification has failed to
150 demonstrate that he/she has been rehabilitated, or a decision of the
151 department of administrative services to certify a debt owed to Milwaukee
152 County to the Department of Revenue under s. 71.935, Wis. Stats. the
153 municipal tax refund intercept program ("TRIP"). The department of
154 administrative services shall adopt and implement policies and procedures
155 for the review of those decisions, which procedures shall include an
156 evidentiary hearing which substantially meets the requirements of s. 68.11,
157 Wis. Stats.

158
159 (d) All determinations by county agencies or administrators reviewable under
160 this chapter are administrative decisions and shall be attended by the usual
161 legal presumptions granted at common law to administrative determinations.
162 The burden of proof shall be upon the appellant to establish that the

163 determination is erroneous. The test before the standing committee shall be the
164 same as a common law certiorari review.

165
166 **110.03. - Persons aggrieved.**

167
168 A person aggrieved includes any individual, partnership, limited liability
169 company, corporation, association, public or private organization whose rights,
170 duties or privileges are directly adversely affected by a determination of a
171 county authority.

172
173 **110.04. - Reducing determination to writing.**

174
175 If a determination subject to this chapter is made orally or, if in writing, does not
176 state the reasons therefor, the authority making such determination shall, upon
177 written request of any person aggrieved by such determination, filed with the
178 authority within ten (10) days of notice of such determination, reduce the
179 determination and the reasons therefor to writing and mail or deliver such
180 determination and reasons to the persons making the request. The
181 determination shall be dated, and shall advise such person of the right to have
182 such determination reviewed, the time within which such review may be
183 obtained, and the office or person to whom a request for review shall be
184 addressed. If no request for a written determination is received by the authority
185 within the time provided, the oral determination shall be deemed the final
186 determination for purposes of appeal.

187
188 **110.05. - Notice of appeal.**

189
190 Any person aggrieved may have a written or oral determination reviewed by
191 filing a written notice of review with the authority which made such
192 determination within five (5) working days of the date of the mailing of such
193 notice to the aggrieved person of such determination. The request for review
194 shall state the ground or grounds upon which the person aggrieved contends
195 that the decision should be modified or reversed.

196
197 **110.06 Initial review of determination by authority**

198
199 A review under this section may be made by the authority which made the
200 initial determination, or its designee. The reviewing authority shall issue a written
201 decision within ten (10) working days of the filing of the request. The time for
202 review may be extended at the discretion of the authority. The person
203 aggrieved may file with the notice of review, or within the time agreed with the
204 authority, written evidence and argument in support of the person's position with
205 respect to the initial determination. The authority may affirm, reverse or modify
206 the initial determination and shall mail or deliver to the person aggrieved a

207 written decision on review, which shall state the reasons for such decision. The
208 decision shall advise the person aggrieved of the right to appeal the decision,
209 the time within which appeal shall be taken, the county board standing
210 committee responsible for an appeal hearing under section 110.07, and the
211 office or person with whom notice of appeal to the standing committee shall be
212 filed.

213
214 **110.07. – Appeal to county board standing committee.**

215
216 (a) Appeal from the authority initial review shall be exclusively to the
217 appropriate county board standing committee.

218 (b) Notice of appeal of the initial review shall be in writing and must be filed
219 by the aggrieved party within five (5) working days of the mailing date of the
220 decision.

221
222 (c) Notice of appeal shall be filed with the county authority which issued the
223 initial review determination. The authority shall forthwith notify the clerk of the
224 standing committee of the filing of the notice of appeal and proceed to
225 prepare the record needed for the committee review.

226
227 (d) The standing committee or a review committee with members appointed
228 by the committee chairperson and confirmed by the committee shall conduct
229 a hearing on the appeal within ten (10) days of the filing of the notice of
230 appeal. This period may be extended at the sole discretion of the committee
231 chair.

232
233 (e) A review committee member, except for department of human services
234 employes who are excluded from membership on the child care certification
235 review panel, may be an employe of the county department rendering the
236 administrative decision provided that such member is an impartial decision
237 maker who did not participate in making or reviewing the initial determination.
238 Further, any department employe appointed by the committee chair to serve
239 on a review committee shall conduct their review and render their
240 determination based upon the policies of the standing committee for which
241 they are a representative.

242
243 (f) Committee actions and remedies. The standing committee has full
244 discretion to affirm the administrative determination, reverse it, modify it in any
245 way, conduct further evidentiary hearings or refer the matter back to the
246 administrator or agency for further evidentiary hearing and findings.
247

248 **110.08. Conduct of hearing before standing committee.**

249
250 (a) If the standing committee decides to hold an evidentiary hearing, the
251 appellant and the authority may be represented by an attorney and may
252 present evidence and call and examine witnesses and cross-examine witnesses
253 of the other party. The committee chair, or his or her designee, shall be
254 responsible for the orderly conduct of the proceeding and for evidentiary
255 rulings. The appellant has the burden of proceeding first and the burden of
256 persuasion. Witnesses shall be sworn by the person conducting the hearing. The
257 rules of evidence shall generally apply to the hearing. The committee may
258 permit hearsay evidence, but its decision may not be based solely upon
259 hearsay. The committee may issue subpoenas. Any party or his or her attorney of
260 record may issue subpoenas to compel the attendance of witnesses or the
261 production of documents. A subpoena issued by a party or his or her attorney
262 must be in substantially the same form as provided in s. 805.07(4), Wis. Stats., and
263 must be served in the manner provided in s. 805.07(5), Wis. Stats. A copy of the
264 subpoena shall be filed immediately with the committee clerk. Any hearings
265 conducted under this chapter shall be recorded in any manner permitted by
266 law and the record, including all exhibits admitted into evidence before the
267 committee, preserved for one (1) year from the date the decision is issued.

268
269 (b) The committee may convene in closed session to deliberate at the close
270 of the hearing, but shall reconvene in open session to vote upon the decision.
271 The decision of a majority of the committee members who participated in the
272 hearing shall constitute the decision of the committee. Within twenty (20) days
273 of completion of the hearing the committee shall serve the appellant by
274 certified mail or personal service with its written determination, which shall
275 contain the reasons for its decision. A copy of the decision shall also be sent to
276 the county authority in question and the corporation counsel. Such
277 determination shall be the final county administrative review. The exhaustion of
278 the administrative remedy created by this chapter is a condition precedent to a
279 circuit court review of a decision of any county authority covered by this
280 chapter.

281 **110.09. Review committee.**

282
283 A review committee, as provided for under sec. 110.07(d), shall consist of a
284 minimum of three (3) but not to exceed five (5) members, who shall conduct a
285 review of the administrative decisions by county departments. Review hearings
286 by such committees shall be based upon records maintained by county or state
287 departments and shall be reviewed and determinations made based upon the
288 following test:

- 289
290 (1) Did the department keep within its jurisdiction?
291

- 292 (2) Did the department act according to law?
- 293 (3) Was the action of the department arbitrary, oppressive, or unreasonable,
- 294 representing its will and not its judgment? and
- 295 (4) Was the evidence such that the department might reasonably make the
- 296 determination in question?

297
298 The committee should conduct as extensive a hearing as it believes is required
299 to apply the "test" outlined. Any decision rendered by the review committee
300 shall have the same validity as a determination made by the standing
301 committee.

302 **110.10. Irregularities not fatal.**

303
304 No defect of form, procedure or substance in any proceeding or hearing under
305 this chapter shall affect the jurisdiction of a committee or invalidate its decision
306 unless it is proven by clear and convincing evidence to have in fact prejudiced
307 the substantial rights of a party.

308
309 **110.20. Contract award appeals.**

310
311 (1) Appeals pursuant to sections 32.26(2), 32.50(1), 44.10, 46.09 (9) and
312 56.30(5)(c) of the ordinances shall follow the procedure set forth in this section.

313
314 (2) Award and Appeal process.

315
316 (a) A County authority may not accept a winning bid and may not
317 submit a contract to the County Board, if County Board approval is
318 required, or to the County Executive for execution until the expiration of
319 the time allotted under sub. (b) to submit a request for review has expired.
320 If a review is requested under this section, the County authority may not
321 accept the winning bid or may not submit the contract at issue to the
322 County Board, if County Board approval is required, or to the County
323 Executive for execution until the conclusion of the appeal procedures set
324 forth below.

325
326 (b) Any bidder or proposer not recommended to receive a contract or
327 bid award may submit a request for review of the notice of intent to
328 award a contract or bid to the County authority making such
329 determination within ten (10) business days of the date of the notice of
330 the determination. The bidder or proposer shall state reasons why the
331 bidder or proposer believes the contract or bid should not be awarded as
332 noticed. Upon receipt of a timely request, the County authority shall
333 provide a written response to the requestor(s) setting forth the rationale

334 justifying the selection of the recommended bidder or proposer. The
335 response shall be provided within fifteen (15) business days of the receipt
336 of a request. The time for response may be extended in the discretion of
337 the County authority up to forty-five (45) calendar days from receipt of
338 the request. If the notice of intent to award was based on an RFP process,
339 the response issued pursuant to this paragraph shall include a summary of
340 the process, material issues, the scoring of the technical and price portion,
341 and information on the type of individuals who served on the evaluation
342 panel; however, the names of the panel members shall not be included.
343 The response shall inform the requester of the right to review, the deadline
344 for filing a request for review, the name and address of the Procurement
345 Director and the requirement for a payment as set forth in paragraph (4).

346
347 (c) Any bidder or proposer who made a request under paragraph (b)
348 may file a request for a review by a Contract Award Reviewer. The
349 request for review must be filed with the Procurement Director within five
350 (5) business days of the date of the response from the division or
351 department head and must be accompanied by the payment set forth in
352 paragraph (4).

353
354 (d) Within five business days of receipt of the request for review with
355 payment, the Procurement Director shall inform the requestor, the division
356 or department head and the Reviewer of the name of the assigned
357 Reviewer. Reviewers shall be assigned in rotation (by alphabetical order
358 based on last name) to conduct reviews in the order in which requests for
359 review are filed.

360
361 (e) The Contract Award Reviewer shall use such review procedures as he
362 or she deems appropriate, including by way of example but without
363 limitation, a hearing, oral argument or written submissions.

364
365 (f) The sole question to be determined by a Contract Award Reviewer is
366 whether substantial rights of a party were so materially affected by
367 procedural irregularities during the RFP or bid solicitation process that the
368 notice of intent to award should be rescinded. Procedural irregularities
369 may include, but are not limited to, a failure by the County authority to
370 follow the requirements of the RFP or bid solicitation as published. The
371 Contract Award Reviewer may determine that the notice of intent to
372 award should be affirmed or rescinded based only upon the preceding
373 test. The Reviewer shall issue a written decision on the appeal. The
374 decision shall be issued within forty-five (45) calendar days of the selection
375 of the Reviewer.

377 (3) A panel of three (3) Contract Award Reviewers shall be established and
378 maintained. The County Executive shall nominate individuals to serve as
379 Contract Award Reviewers, subject to confirmation by the County Board. The
380 Reviewers shall remain members of the panel for three (3) years from
381 confirmation of appointment and may be re-appointed for additional three (3)
382 year terms by the County Executive, subject to re-confirmation by the County
383 Board. The persons nominated shall possess experience and qualifications in
384 procurement processes or legal matters related to procurement. County
385 employees, officers or elected officials are not eligible for nomination.

386 (4) Contract Award Reviewers shall be entitled to payment of an hourly fee and
387 reimbursement for costs. The hourly rate shall be established in the annual
388 adopted budget or, if not so established, shall be determined by the
389 Procurement Director. The requestor and the County shall each be responsible
390 for one-half of the fees and costs of the Reviewer. The requestor shall submit an
391 advance payment, as a deposit, in the amount of \$1000.00, towards the final
392 amount determined upon completion of the review. This payment shall be
393 submitted together with the request for review set forth in paragraph (c) and the
394 Procurement Director shall not process any request submitted without this
395 accompanying payment. Failure of a requester to make payment of one-half
396 of the total fees and costs of a review shall bar the requester from filing or
397 having heard any other requests for review until such time as the requester
398 makes such payment.

400 **SECTION 2.** Chapter 32.23 of the General Ordinances of Milwaukee County is
401 amended as follows:

402
403 **32.23 Purchasing standardization committee.**
404

405 (1) There shall be a purchasing standardization committee composed of three
406 (3) private citizens: a representative of: the department of human resources,
407 department of parks, recreation and culture, department of public works and
408 the sheriff's department. Each of the departmental representatives shall be
409 selected by the department head. The private citizen members are to be
410 appointed by the county executive for a term of four (4) years, subject to the
411 confirmation of the county board, and shall be residents of the county who are
412 knowledgeable in procurement. A representative of the corporation counsel's
413 office and the procurement director or his or her designee shall be technical
414 advisers to the committee.

415
416 (2) The committee is empowered to do the following:
417

- 418 (a) Adopt operating rules and procedures, and shall elect a vice-
419 chairperson, for a one year term, and such other officers as may be
420 required.
421
422 (b) Review supplies, materials and equipment commonly used for
423 adoption of appropriate standards by all departments.
424
425 (c) Adopt, revise and promulgate written standards which satisfy the
426 requirements of the county. After adoption, they shall apply to
427 every future purchase and contract for the commodity described,
428 unless exempted by the committee.

429
430 (3) Establish technical subcommittees.

431
432 ~~(4) Hear appeals as defined in sections 32.26 and 32.51.~~
433

434 **SECTION 3.** Section 32.26 of the General Ordinances of Milwaukee County is
435 amended as follows:
436

437 **32.26 Protest and appeal procedure.**

438 Protests to any sealed bid, procurement or award recommended by the
439 procurement director or his or her designee may be made by any bidder and/or
440 using department head as follows:
441

442 (1) *Prior to bid opening:*
443

444 (a) Protests to form and content of bid documents shall be received by
445 the procurement director or his or her designee not less than five (5)
446 days prior to the time scheduled for bid opening. A protest shall be
447 in writing and state the reason for it.
448

449 (b) The procurement director or his or her designee shall review protests
450 and, if modification is necessary, the bid opening date shall be
451 extended and addenda containing the changes shall be sent to
452 each bidder. If modification is rejected, the protestor shall be
453 notified. The decision of the procurement director or his or her
454 designee is final.
455

456 (2) *After bid opening:*
457

458 (a) Protests concerning irregularities on sealed bid opening procedures,
459 or compliance by bidders with bid documents, shall be received by
460 the procurement director or his or her designee within seventy-two
461 (72) hours after time of bid opening filed pursuant to section 110.20
462 of the ordinances.

463
464 ~~(b) When a sealed bid is awarded to other than the low bidder, all~~
465 ~~bidders shall be notified in writing by certified mail, return receipt~~
466 ~~requested, or by fax machine transmission, of the proposed award.~~
467 ~~Protests to the award must be delivered to the procurement~~
468 ~~director or his or her designee within seventy-two (72) hours after~~
469 ~~receipt of notice. The procurement director's or his or her designee's~~
470 ~~copy of the fax transmission cover sheet, or the department's fax~~
471 ~~log, shall be conclusive proof of the time and date of receipt by a~~
472 ~~bidder.~~

473
474 ~~(c) A protest under either subsection (a) or (b) must be in writing and~~
475 ~~state the reason for it. The procurement director or his or her~~
476 ~~designee shall review the protest and notify the protestor of a~~
477 ~~decision in writing by fax, within five (5) days. No contract shall be~~
478 ~~awarded while a protest is pending. A protest which is untimely, fails~~
479 ~~to state the reason for it or shall have been made prior to bid~~
480 ~~opening is invalid. The decision of the procurement director or his or~~
481 ~~her designee disqualifying the protest for these reasons is final and~~
482 ~~cannot be appealed.~~

483
484 ~~(3) Appeals to purchasing standardization committee:~~

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

491
492 ~~(b) The request shall state the grounds upon which the protest is based~~
493 ~~and shall request an appeal hearing. No contract shall be awarded~~
494 ~~until final disposition of the protest.~~

495
496 ~~(c) The chairperson of the committee shall notify all interested persons~~
497 ~~of the time and place of the hearing.~~

499 ~~(d) The committee shall affirm, reverse or modify the decision of the~~
500 ~~procurement director or his or her designee and its decision shall be~~
501 ~~final.~~
502

503 **SECTION 4.** Section 32.40 of the General Ordinances of Milwaukee County
504 are amended as follows:
505

506 **32.40 General.**

507 (1) Requests for proposals (RFPs) are used in negotiated acquisitions to
508 communicate county requirements to prospective vendors and to solicit
509 proposals from them. Solicitations shall contain the information necessary to
510 enable prospective vendors to prepare proposals properly. Solicitation
511 provisions and contract clauses may be incorporated into the solicitations and
512 contracts by reference.
513

514 (2) The procurement director or his or her designee shall furnish identical
515 information concerning a proposed acquisition to all prospective vendors.
516

517 (3) The procurement director or his or her designee shall solicit proposals only
518 when there is a definite intention to award a contract.
519

520 (4) A proposal received in response to an RFP is an offer that can be
521 accepted by the county to create a binding contract.
522

523 (5) Letter RFPs should be as clear and concise as possible, exclude any
524 unnecessary verbiage or notices; and, as a minimum, contain the following:
525

526 (a) RFP number and date.

527 (b) Name and address of contracting office.

528 (c) Type of contract contemplated.

529 (d) Quantity, description, and required delivery for the item.

530 (e) Applicable certifications and representations.

531 (f) Contract terms and conditions.

532 (g) Offer due date.
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(h) Other relevant information; e.g., incentives, variations in delivery schedule, any peculiar or different requirements, cost proposal support and different data requirements.

(6) Solicitation for services as defined in section 32.20(2) and (17) with an aggregate value in excess of fifty thousand dollars (\$50,000.00) shall be approved by the county board prior to award. Approval shall not be requested until after completion of the ~~protest and appeal process outlined in sections 32.50 and 32.51 of this subchapter~~ section 110.20 of the ordinances.

(7) Notwithstanding any other provisions of this chapter to the contrary, where adequate competition exists, the purchasing administrator [procurement director or his or her designee] shall have the authority, in any situation where a contract is to be let through the negotiated acquisition process, to reserve such contract exclusively for vendors listed as small business enterprises as defined in section 42.02(k). In such event, the solicitation announcements shall indicate such reservation, citing this subsection as authority therefore. Reservations by the purchasing administrator [procurement director or his or her designee] may be on a commodity basis or on an individual contract basis.

SECTION 5. Chapter 32.49 of the General Ordinances of Milwaukee County is amended as follows:

32.49. Awards.

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

SECTION 6. Section 32.50 of the General Ordinances of Milwaukee County is amended as follows:

32.50 Protests to awards.

579 (1) All unsuccessful offerors shall be notified by fax machine transmission of
580 the pending contract award. Protest to the award must filed pursuant to section
581 110.20 of the ordinances,~~be delivered to the procurement director or his or her~~
582 ~~designee within seventy-two (72) hours after receipt of notice. The procurement~~
583 ~~director's or his or her designee's copy of the fax transmission cover sheet, or the~~
584 ~~departments fax log, shall be conclusive proof of the time and date of receipt~~
585 ~~by the offeror.~~

586 ~~(2) A protest must be in writing and clearly state the reason for it. The~~
587 ~~procurement director or his or her designee shall review the protest and notify~~
588 ~~the protestor of a decision by fax machine transmission within five (5) days. No~~
589 ~~contract shall be awarded while a protest is pending. A protest that is untimely~~
590 ~~or fails to clearly state the reason for the protest is invalid. The procurement~~
591 ~~director's or his or her designee's copy of the fax transmission cover sheet, or the~~
592 ~~departments fax log, shall be conclusive proof of the time and date of receipt~~
593 ~~by the offeror.~~

594
595 ~~(3) The decision of the procurement director or his or her designee~~
596 ~~disqualifying the protest for these reasons is final and cannot be appealed.~~

597
598 **SECTION 7.** Chapter 32.51 of the General Ordinances of Milwaukee County is
599 amended as follows:

600
601 **32.51 Appeals to purchasing standardization committee.**

602
603 (1) Except as provided in sections 32.26, 32.46(3), 32.49 and 32.50(13), protests
604 from decisions of the procurement director or his or her designee shall be made
605 to the purchasing standardization committee by delivering a written request for
606 appeal hearing both to the procurement division and the purchasing
607 standardization committee within seventy-two (72) hours after receipt of the
608 procurement director's or his or her designee's decision.

609
610 (2) The request shall state the grounds upon which the protest is based and
611 shall request an appeal hearing. No contract shall be awarded until final
612 disposition of the protest.

613
614 (3) The chairman of the purchasing standardization committee shall notify all
615 interested persons of the time and place of the hearing.

616

617 (4) The purchasing standardization committee shall affirm, reverse or modify
618 the decision of procurement director or his or her designee and its decision shall
619 be final.

620
621 **SECTION 8.** Chapter 44.10 of the General Ordinances of Milwaukee County is
622 amended as follows:

623
624 **44.10 Appeal.**

625 Bidders whose bids have been rejected may file appeals pursuant to chapter
626 110.20 of the Code.

627
628 **SECTION 9.** Chapter 46.09 of the General Ordinances of Milwaukee County is
629 amended as follows:

630
631 **46.09. Purchase of care and services by the county.** 

632 (1) Policy. It is deemed to be in the interests of the county that in the
633 purchase of human services, as herein defined, from nongovernmental
634 vendors, that the following policy be observed. It is the policy of the county
635 board that contract amounts proposed for award to any provider
636 recommended to provide human services, except as defined in subsection
637 (3), shall be submitted to the appropriate county board committee for review
638 and recommendation. No contract or contract adjustment, except for
639 services as defined in subsection (3), shall take effect until approved by
640 resolution of the county board.

641
642 (2) Definitions. For the purposes of this section, the following terms, words
643 and phrases shall have the meanings given herein:

644
645 (a) "Department" means the department of human services.

646
647 (b) "Provider" means a nongovernmental public or private agency or
648 proprietary organization furnishing the human services being
649 contractually purchased.

650
651 (c) "Human services" means:

652 (1)The care or treatment services the department of human
653 services is authorized by statute to provide or purchase; and
654 (2)The services the commission on aging is authorized by law to
655 provide or purchase.

656
657 (d)"Qualified recipient" means an individual who is being furnished the
658 purchased care or treatment service by a provider pursuant to request
659 of the department or under chapter 46, 53 or 93 of the Code.

660
661 (3) Pursuant to s. 46.215(2), Wis. Stats., the county board may not exercise
662 approval or disapproval power over contracts and purchases of the director
663 of the department relating to community living arrangements, as defined in s.
664 46.03(22)(a), Wis. Stats., or foster homes, and entered into pursuant to a
665 coordinated plan and budget, regardless of whether the coordinated plan
666 and budget mentions the provider.

667
668 (4) Written contract: minimum provisions.
669 (a)Except as hereinafter noted, each provider that sells or furnishes care
670 or services to the department shall enter into a written contract with the
671 department setting forth the minimum terms of the agreement, as
672 specified in s. 46.036, Wis. Stats., and all appropriate state and federal
673 rules and regulations.

674
675 (b)Prior to entering into contract, corporation counsel shall approve
676 said contract as to format and compliance with all statutes, rules,
677 ordinances, and the county's ethics policy. No contract is valid until so
678 approved by corporation counsel.

679
680 (c)The comptroller shall countersign each contract if he or she
681 determines that the county has, or will have, the necessary funds to pay
682 the liability that the county may incur under the contract. No contract is
683 valid until so countersigned by the comptroller.

684
685 (d)The contract terms shall also include:
686 (1)Clear and concise statement that the final authority for the
687 determination of eligibility for the purchased care or service is the
688 department.

689

690 (2)Description of the method and procedure to be used by the
691 department in referring eligible recipients to the provider for
692 service.

693
694 (3)Clear and concise statement that department representatives,
695 as well as representatives of other appropriate county, state and
696 federal agencies shall have right of visual inspection of a
697 provider's facility at any time during which the care or service is
698 being furnished.

699 (4)Clear and concise statement that the department reserves the
700 right to withdraw any qualified recipient from the program,
701 service, institution or facility of the provider at any time when in
702 the judgment of the department it is in the best interests of the
703 department or of the qualified recipient so to do.

704
705 (5)Provision that no qualified recipient is to be denied service or
706 to be subjected to unlawful discrimination because of race,
707 color, creed, national origin, age, religion, sex, handicap or other
708 developmental disability as defined in s. 55.01 (2), Wis. Stats.

709
710 (6)Appropriate indemnification and insurance provisions.

711
712 (7)Provision that the department reserves the right to terminate
713 the contract in the event that reimbursement to the county from
714 any applicable state or federal source is not obtained or
715 continued at a level sufficient to allow the department to
716 purchase the care or service from provider.

717
718 (8)All contracts entered into by or on behalf of the county for the
719 purchase of care or treatment services shall, unless waived by the
720 county board, provide for the payment of interest on amounts
721 determined to have been overpaid by the county or to be
722 repaid to the county by provider as a result of post contract
723 reconciliations or audits. The rate of interest shall be the statutory
724 rate in effect for delinquent county property taxes (presently one
725 (1) percent per month or fraction of a month, s. 74.47(1), Wis.
726 Stats.) and the obligation for payment and calculation thereof
727 shall commence upon demand for repayment by the county.

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(5) Provider file. The department shall create and keep in its offices a provider file for each provider. Said file shall contain, but not be limited to the following information:

(a)Original or true copy thereof of the written contract required under this section.

(b)Original or true copy thereof of all information requested by the department or furnished by provider for contract negotiation, rate setting and audit purposes.

(c)Reports of director of audits as to the results of periodic test audits of financial records of provider (or other audit findings).

(6) Furnishing of information for contract rate setting. Every provider that furnishes or desires to furnish care or services shall provide the department with all requested provider financial information for rate setting pursuant to s. 46.03(18), Wis. Stats. The county may audit the financial records of provider, summarizing the results with appropriate commentary. Provider shall make available to the county director of audits all necessary records.

(7) Quality control. The department shall annually review the adequacy of purchased care or service furnished pursuant to the provider's contract.

(8) Comptroller responsibility.
(1)The comptroller shall, on a monthly basis, summarize the reports received from the division concerning purchase of service contracts and provide one (1) copy to the committee on finance and audit and one (1) copy to the county executive.
(2)The comptroller shall deny payment for any payment request submitted by a contractor to an administrator if all conditions of this chapter have not been met. The comptroller shall report such denials and the reason for denial to the committee on finance and audit along with the monthly report. In such cases, the administrator may appeal the decision to the committee on finance and audit.

(9) Appeal.

766 Providers whose proposals have been rejected may file appeals pursuant to
767 chapter 110.20 of the Code.

768
769 **SECTION 10.** Section 56.30(5) of the General Ordinances of Milwaukee
770 County is amended as follows:

771
772 **56.30 – Professional Services**

773
774 (5) *Request for proposal.*

775
776 (a) *When required.* When it is estimated that a contract for professional services
777 has a value of fifty thousand dollars (\$50,000.00) and over, it is required that a
778 request for proposal (RFP) be used to attempt to solicit a minimum of three (3)
779 proposals. Department administrators shall give appropriate notice to
780 prospective vendors of services to be retained. At a minimum, such notice shall
781 include publication of an ad in a newspaper serving the Milwaukee area. The
782 use of an RFP is discretionary for any professional services contract with a value
783 of less than fifty thousand dollars (\$50,000.00). If an RFP is used or not, it still is
784 required to document the process and the reasons shall be documented in
785 writing by the administrator and retained in departmental files for a period of
786 seven (7) years after contract completion. Documentation shall include the RFP,
787 memos, proposals, score sheets, analyses, contracts and any other document
788 used in determining the award of a contract.

789
790 (1) For a contract with an estimated value between fifty thousand dollars
791 (\$50,000.00) and one hundred thousand dollars (\$100,000.00), the request
792 for proposal procedure need not be used if it is determined by an
793 administrator to be cost effective to the county not to seek proposals.
794 Such action shall be reported, in writing, with an explanation as to the
795 benefits derived from not seeking proposals, to the county board when
796 the contract is submitted for approval.

797
798 (2) The request for proposal procedure need not be used for a contract
799 with an estimated value of fifty thousand dollars (\$50,000.00) or more, if
800 immediate action is required to preserve property or protect life, health or
801 welfare of persons. Such action shall be reported in writing within forty-
802 eight (48) hours after the initial emergency action to the county board,
803 county executive and department of administration. Payments shall not
804 be restricted by normal budget limitations. Appropriation transfers, if
805 required, shall be initiated in accordance with fiscal procedures.

807 (3) The request for proposal procedure must be used for all contracts with
808 an estimated value of one hundred thousand dollars (\$100,000.00) or
809 more unless action is required to protect property or protect life, health or
810 welfare of persons, or in circumstances where contractual services are
811 approved by specific county board action.

812
813 (b) *Content.* The request for proposal shall contain the evaluation criteria which
814 will be used to select the successful contractor. The relative importance of each
815 of these items will depend to some degree on specific services being sought. It is
816 essential that the RFP enumerate the evaluation criteria which will be used to
817 select the successful contractor. The RFP shall also include the foundation and
818 mechanism for billing for any professional service. The RFP shall also include
819 language stating that any appeal of the intent to award a contract shall follow
820 the process set forth in section 110.20 of the ordinances.

821
822 (c) *Evaluation procedure.* More than one (1) person shall evaluate all proposals.
823 Oral presentations should be used to supplement the written proposal if it will
824 assist in the evaluation procedure. The firms to be invited to make an oral
825 presentation can be determined after the initial review and ranking of the
826 proposals based on the criteria outlined in the RFP. Upon completion of the
827 evaluation procedure and a determination being made by the appropriate
828 division or departmental authority, a notice of intent to award the contract to
829 the successful proposer shall be communicated to all proposers.

830
831 (d) *Disclosure.* Contract administrators, evaluation panel members, or potential
832 members, department administrators and persons selecting evaluation panel
833 members are required to fully disclose on forms approved by the Ethics Board
834 any experience, contact or relationship with bidders that would create a
835 potential conflict of interest, or the appearance of a conflict of interest, as
836 defined in chapter 9 of these ordinances, in awarding or managing a contract.
837 Such disclosure shall be presented to the administrator of the department letting
838 the contract who shall forward the disclosure to the Ethics Board with a written
839 request for a determination as to whether the disclosing party should be
840 disqualified from evaluating, selecting or administering the proposed contract.
841 The determination of the Ethics Board must be documented and included in the
842 department's files for the contract and shall be retained as required under
843 subsection (a) of this section. The provisions of this section are to be included in
844 the Milwaukee County Administrative Procedures Manual. All the provisions set
845 forth in the Milwaukee County Code of Ethics are in full force and effect and are
846 not abrogated in any way by these requirements.

847
848 (e) Reporting requirement for contract approval. When County Board
849 approval of the contract is required, all department administrators shall submit a

850 report with the request for approval to the County Board. Such reports shall
851 include the following information:

852 (1) Department name and number.

853 (2) Dollar amount of contract.

854

855 (3) Name of professional services vendor under contract.

856

857 (4) Length of time of contract.

858

859 (5) Purpose of contract.

860

861 (6) Manner in which County policy on DBE goals was met, if applicable.

862

863 (7) Termination clauses.

864

865 (8) Number of responses to RFP

866

867 (9) Whether any appeals were filed

868

869 (f) County Board approval and contact. The County Board shall not take
870 action to recommend approval or rejection of any contract and the County
871 Executive shall not sign any contract while an appeal pursuant to section 110.20
872 is pending. No proposer or any person affiliated with a proposer shall have any
873 contact or communication with County Board members or its staff concerning
874 the subject of any contract being sought through an RFP process while the RFP
875 process is open or while an appeal pursuant to section 110.20 is pending.

876

877 **SECTION 11.** The provisions of this ordinance shall be effective upon passage
878 and publication.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 6/4/2014

Original Fiscal Note

Substitute Fiscal Note **X**

SUBJECT: Request to Update Milwaukee County General Ordinances Chapters 32,44,46,56 and 110

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 |
| X 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 |
| X 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	\$21,000	\$21,000
	Revenue		
	Net Cost	\$21,000	\$21,000
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

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

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

The Office of the Comptroller is requesting updates to Milwaukee County General Ordinances Chapters 32, 44, 46, 56 and 110 to clarify and unify the appeal procedures for all county contracts and bids and to provide further direction to Department Heads in the preparation and execution of RFPs.

The recommended changes include a provision to create a pool or panel of reviewers which will hear reviews. The individuals are appointed by the County Executive with confirmation by the County Board. The reviewers must have experience with procurement or legal issues related to procurement. They serve three year terms and may be re-appointed. The reviews are assigned by alphabetical rotation among the reviewers. The reviewers are entitled to payment of an hourly rate set by the budget or, if not set in the budget, set by the Procurement Director. The County authority and the party that requested the review are each responsible for one-half of the cost of review. A requester must pay a \$1,000 deposit towards those costs.

Assuming that three reviews will be heard annually by the panel for an average of 10 days at \$175/hour, the resulting total cost is \$42,000 which would be split by the County and the aggrieved party. The County's share would then be approximately \$21,000. The actual incurred costs will be dependent upon the number and length of the reviews that occur within any given year.

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.

There is no appropriation for the anticipated costs in 2014. Therefore, these costs would either have to be absorbed within a department's budget or paid for through contingency funds. Future funding would be determined in subsequent annual budgets.

Department/Prepared By Molly Pahl

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CDBP Review?² Yes No Not Required

MILWAUKEE COUNTY BOARD OF SUPERVISORS

DATE: June 12, 2014

AMENDMENT NO: 1 - REVISED

Resolution File No: 14-303
Item No: 1

COMMITTEE: Committee on Judiciary, Safety, and General Services

OFFERED BY SUPERVISOR(S): Johnson

ADD AND/OR DELETE TO LINES AS FOLLOWS:

Add the following WHEREAS clause at or near line 66 as follows:

WHEREAS, each qualified reviewer must hold all the following credentials:

1. Current certification as a Certified Public Procurement Official (CPPO) or equivalent;
2. A Master's Degree or higher;
3. A Minimum seven years of experience as a Procurement Officer for a public entity;
4. A Minimum five years of experience in determinations of public procurement legal matters (ex: protests/appeals/stays)

; and

Amend section 110.20 of the proposed ordinance beginning on or near line 377 as follows:

3) A panel of three (3) Contract Award Reviewers shall be established and maintained. The County Executive shall nominate individuals to serve as Contract Award Reviewers, subject to confirmation by the County Board. The Reviewers shall remain members of the panel for three (3) years from confirmation of appointment and may be re-appointed for additional three (3) year terms by the County Executive, subject to re-confirmation by the County Board. ~~The persons nominated shall possess experience and qualifications in procurement processes or legal matters related to procurement.~~—County employees, officers or elected officials are not eligible for nomination. In order to be nominated as a contract award reviewer an individual must possess all of the following:

- (1) Current certification as a Certified Public Procurement Official (CPPO) or equivalent;
- (2) A Master's Degree or higher;
- (3) Minimum seven (7) years of experience as a Procurement Officer for a public entity;
- (4) Minimum five (5) years of experience in determinations of public procurement legal matters (ex: protests/appeals/stays)

-COUNTY OF MILWAUKEE-
INTEROFFICE COMMUNICATION

DATE : July 1, 2014
TO : Supervisor Marina Dimitrijevic, Chairwoman, Board of Supervisors
FROM : Joshua Fudge, Interim Fiscal & Budget Administrator, DAS-Fiscal
SUBJECT : 2014 Edward Byrne Memorial Justice Assistance Grant (JAG).

REQUEST

Retroactive approval to apply for and accept Edward Byrne Memorial Justice Assistance Grant funds for Federal Fiscal Year 2014 is requested.

BACKGROUND

On April 24, 2014, the Office of Performance, Strategy and Budget (DAS-PSB) was notified by the U.S. Department of Justice (U.S. DOJ) that it had released applications for the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG). The U.S. DOJ indicated that the deadline for the application was June 10, 2014, prior to the scheduled July cycle Committee meetings.

In order to mitigate the risk of losing grant funding, DAS-PSB solicited departments for requests under this grant and submitted the grant application on June 10, 2014. DAS-PSB, and is now requesting retroactive approval to apply for the grant. This procedure was also used for the 2013 grant, as the timeframe of the application fell between Committee cycle schedules. Part of the application requirement for the JAG grant requires the administering agency to provide an opportunity for public comment on the spending plan, which is attached.

JAG funding is awarded to municipalities based upon the average annual number of Part 1 violent crimes reported by the unit to the Federal Bureau of Investigations (FBI). Since Milwaukee County bears the cost of prosecution and incarceration that arise out of Part 1 violent crimes, the DOJ has declared Milwaukee County a disparate jurisdiction and therefore eligible to share in the funding awarded to municipalities located within Milwaukee County.

The funding also requires the qualifying localities to negotiate a Memorandum of Understanding (MOU) regarding the administration and distribution of funds. Milwaukee County is not eligible for a direct grant award from the Bureau of Justice Assistance.

The following is a list of municipalities that are eligible for funding and their award amount:

Municipality	Award Amount
MILWAUKEE	\$849,996
WAUWATOSA	\$10,328
WEST ALLIS	\$23,583
TOTAL	\$883,907

The total allocation of \$883,907 represents an increase of \$77,580 or 10 percent from the FY 2013 version of the grant. Since 96% of all the local funds are earmarked for the City of Milwaukee, no attempt was made to extract funding from the municipalities other than the City of Milwaukee. After discussions with Milwaukee Police Department, it was agreed that funding would first be allocated to fund the Community Justice Council Coordinator position housed at the Public Policy Forum at a cost of \$95,000, with Milwaukee Police Department and Milwaukee County each providing one-half of the funding. The net award to the City of Milwaukee is then \$754,996. Of that, Milwaukee County will receive \$377,498 or 50% of the City of Milwaukee's net award.

Milwaukee County has agreed to act as the fiscal agent for the 2014 JAG grant as it is for the prior year JAG grants.

Matching Funds Requirement

The JAG grant does not require a local match.

Trust Fund Requirement

The JAG funds, which are forwarded to the County and pursuant to grant guidelines, must be held in a separate trust account.

Spending Plan

The spending plan is attached. For Milwaukee County projects, the Office of the District Attorney and the Department of Administrative Services were the only two organizations to make requests for funding. No requests were received by the deadline from any other department or office.

RECOMMENDATION

In order to strengthen the collective ability of local jurisdictions to combat violent crime, it is recommended that DAS-PSB be authorized to apply for and accept JAG funds. In addition, a separate trust fund must also be authorized and established to meet grant requirements and to deposit the grant monies that will be forwarded to the County.

FISCAL NOTE

Approval of this request will result in total 2014 JAG funds of \$883,907 being provided to the following localities:

Municipality	Award Amount
MILWAUKEE	\$849,996
WAUWATOSA	\$10,328
WEST ALLIS	\$23,583
TOTAL	\$883,907

This grant does not require a local match; however, staff time is required because Milwaukee County will be the fiscal agent for the grant. DAS-PSB, upon verification that expenses submitted for reimbursement are consistent with the approved joint spending plan, will transfer the funds to the appropriate departmental account from the trust account where the funds will be held. In addition, DAS-PSB, upon verification that expenses submitted for reimbursement are consistent with the approved joint spending plan, will make payment to the municipalities from the trust account where the funds will be held.

PREPARED BY:

Josh Fudge, Budget Director



Joshua Fudge
Director, Office of Performance, Strategy & Budget

pc: Chris Abele, County Executive
John Chisholm, Milwaukee County District Attorney

From the Director, Office of Performance, Strategy & Budget, Department of Administrative Services, requesting approval to apply for and accept Edward Byrne Memorial Justice Assistance Grant (JAG) funds for Federal Fiscal Year 2014

A RESOLUTION

WHEREAS, on April 24, 2014 the Department of Administration-Fiscal Division was notified by the U.S. Department of Justice (U.S. DOJ) that it had released applications for the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG); and

WHEREAS, as a part of the funding, the U.S. DOJ requires the qualifying localities to negotiate a Memorandum of Understanding (MOU) regarding the administration and distribution of funds; and

WHEREAS, the following localities Milwaukee, Milwaukee County, Wauwatosa and West Allis are eligible for a total funding amount of \$883,907; and

WHEREAS, funding is awarded to municipalities based upon the average annual number of Part 1 violent crimes reported by the unit to the Federal Bureau of Investigations (FBI) and since Milwaukee County bears the cost of prosecution and incarceration that arise out of Part 1 violent crimes, the DOJ has declared Milwaukee County a disparate jurisdiction and therefore eligible to share in the funding awarded to municipalities located within Milwaukee County; and

WHEREAS, the City of Milwaukee was awarded \$849,996 which is 96% of all the local funds, no attempt was made to extract funding from the municipalities other than the City of Milwaukee and after discussions with Milwaukee Police Department; and

WHEREAS, it was agreed that funding would be split with the Milwaukee Police Department and Milwaukee County each funding one-half of the cost of the Community Justice Council Coordinator position, housed at the Public Policy Forum at a cost of \$95,000; and

WHEREAS, of the remaining funding level of \$754,996, Milwaukee County will receive \$377,498 or 50% of the City of Milwaukee's award; and

WHEREAS, the grant does not require a local match; and

WHEREAS, the application submission deadline was June 10, 2014; and

WHEREAS, Milwaukee County will be the fiscal agent for the grant; and

WHEREAS, in order to meet the grant requirements, a separate trust fund must be established to deposit the grant monies which Milwaukee County will receive; now, therefore,

38 BE IT RESOLVED, that the County Board of Supervisors does hereby authorize
39 the Department of Administrative Services – Office of Performance, Strategy & Budget
40 to apply for and accept Edward Byrne Memorial Justice Assistant Grant (JAG) funds;
41 and

42

43 BE IT FURTHER RESOLVED, that a separate trust fund be established to
44 deposit the grant monies.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 7/3/2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Retroactive Permission to Apply for the Justice Assistance Grant.

FISCAL EFFECT:

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

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

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$220,679	\$156,819
	Revenue	\$220,679	\$156,819
	Net Cost	\$0	\$0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

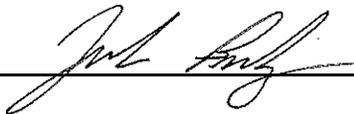
In the space below, you must provide the following information. Attach additional pages if necessary.

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

This resolution would grant the Department of Administrative Services retroactive authority to apply for the 2014 Justice Assistance Grant, which is provided by the U.S. Department of Justice. The attached spending plan would provide \$377,498 in funding for Milwaukee County agencies under this grant. The projects include: funding for five community prosecutors in the Office of the District Attorney and funding for a consultant to study the County's 911 communications/dispatch system and make recommendations for improvements. The split in expenditures and revenues between 2014 and 2015 reflects the anticipated cost of the 911 system study (\$95,224) and four months of the Community Prosecution project (\$125,455) in 2014, with the remainder of the Community Prosecution project costs in 2015.

Department/Prepared By Josh Fudge, Director, DAS-PSB

Authorized Signature



Did DAS-Fiscal Staff Review?

Yes

No

Did CBDP Review?²

Yes

No

Not Required

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

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

**Edward Byrne Memorial Justice Assistance Grant FY 2014
2014 Spending Plan**

The Joint Spending Plan for 2014 allocates a total of \$883,907 to the following jurisdictions:
Milwaukee County, City of Milwaukee, Wauwatosa and West Allis.

Jurisdiction	Category	Item Cost	Total Amount
<i>Milwaukee County/City of Milwaukee</i>			\$95,000
Public Policy Forum			
Fund CJC Coordinator Position	Consultants/ Contracts	\$95,000	
<i>Milwaukee County</i>			\$377,498
District Attorney – \$282,274			
Fund ADAs through May 2015	Personnel	\$282,274	
Department of Administrative Svcs. - \$95,224			
911 Communications/Public Safety Dispatch System Study	Consultants/Contracts	\$95,224	
<i>City of Milwaukee</i>			\$377,498
MediaSolv Storage Hardware Upgrade	Equipment	\$50,000	
Job Scheduling Software	Other (Software)	\$100,000	
In-Car Video Recording Systems	Equipment	\$54,500	
Crime Analyst Computer Set-up	Equipment	\$155,243	
Substation Fiber Installation	Equipment	\$14,692	
Crash Data Retrieval System	Equipment	\$3,063	
<i>City of West Allis</i>			\$23,583
Digital Evidence Kiosk	Equipment	\$23,583	
<i>City of Wauwatosa</i>			\$10,328
Mobile/Handheld Radios	Equipment	\$10,328	

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

Date: July 3, 2014

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

FROM: Paul Bargren, County Corporation Counsel
Josh Fudge, Director, Office of Performance, Strategy & Budget

SUBJECT: **Allocation of Courthouse Fire Insurance Proceeds**

Background

During the January/February 2014 cycle of the County Board of Supervisors, \$4,069,000 was provided from the 2013 Appropriation for Contingencies to fund work related to the Courthouse Fire (capital project No. WO150). Of this amount, \$2,675,000 was allowed to be carried over into 2014 for work performed during that calendar year (file no. 14-127). The remainder, \$1,394,000, was provided for work done during calendar year 2013. It was anticipated at the time of this action that the County's property insurance carrier would reimburse the County for these costs in the full amount of \$4,069,000. These funds were provided from the 2013 surplus, and fiscal year 2013 is now closed.

The State Office of the Commissioner of Insurance has indicated that the full funding amount, will be paid to the County, including a payment of \$3,500,000 that is expected to be received during the week of July 7.

Issue

Because fiscal year 2013 has been closed, the funds will be applied to fiscal year 2014. The attached resolution would allocate these funds to the Debt Service Budget. The 2014 Modified Debt Service Budget includes a contribution of \$15,099,000 from the Debt Service Reserve to offset general debt service costs in order to provide cash financing of several capital projects. The attached resolution would allocate these insurance proceeds to the Debt Service Budget in order to reduce the Debt Service Reserve contribution to \$11,599,000.

This action is being taken because the Office of the Corporation Counsel (Corporation Counsel) indicates that one medical malpractice and civil rights suit has been filed and four additional, similar notices of claim have been received. These cases are related to incidents at the Behavioral Health Center that have happened in recent years and that are not covered by the County's insurance with Wisconsin County Mutual. The Corporation Counsel plans to utilize outside counsel for these cases due to the resources and specialized experience required. A current estimate is that the costs of defense and/or the potential liability costs could be significant over the next several years. It is the opinion of the County Executive and the Office of the Corporation Counsel that, because these incidents took place prior to the implementation of 2014 Wisconsin Act 203, the liability rests with Milwaukee County and not with the Mental Health Board.

Therefore, in order to address the costs of outside counsel and the possibility of liability payments and to mitigate the impact on the 2015 and subsequent years' budgets, it is recommended that the insurance proceeds be transferred to the Debt Service Budget, which will allow for a reduction of the same amount in the 2014 contribution from the Debt Service

Reserve, thereby providing funds for defense counsel costs and for possible liability in 2015 and future years.

Recommendation & Fiscal Impact

The Director of Administrative Services and Office of the Corporation Counsel recommend that the fire insurance proceeds of \$3,500,000 be allocated to the Debt Service Budget, and that the contribution from the Debt Service Reserve to the Debt Service budget be reduced by a like amount to \$11,599,000. This action would have no tax levy impact.



Paul Bargren
County Corporation Counsel



Josh Fudge
Director, Office of Performance,
Strategy & Budget

Cc: County Executive Chris Abele
Scott Manske, Milwaukee County Comptroller

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From the Office of the Corporation Counsel and the Director, Office of Performance, Strategy & Budget, Department of Administrative Services, requesting approval to allocate \$3.5 million in insurance proceeds to the Debt Service Budget, and to reduce the contribution from the Debt Service Reserve Fund to the Debt Service Budget by the same amount.

A RESOLUTION

WHEREAS, Milwaukee County allocated \$4.1 million from the 2013 Appropriation for Contingencies to fund work related to the Courthouse Fire (capital project No. WO150). Of this amount, \$2,675,000 was allowed to be carried over into 2014 for work performed during that calendar year (file no. 14-127).; and

WHEREAS, the State Office of the Commissioner of Insurance indicates that \$3.5 million in reimbursement for these costs will be provided to the County during the week of July 7; and

WHEREAS, fiscal year 2013 has closed, making these funds applicable to fiscal year 2014; and

WHEREAS, the County may face significant expense and liability related to past incidents at the Behavioral Health Center; and the Office of the Corporation Counsel indicates that outside counsel will be utilized for these cases due to the resources and specialized experience required. A current estimate is that the costs of defense and/or the potential liability costs could be significant over the next several years; now, therefore,

BE IT RESOLVED, that the County Board of Supervisors does hereby authorize that these funds in the amount of \$3.5 million be allocated to the Debt Service Budget, and that the 2014 Adopted Budget contribution from the Debt Service Reserve Fund to the Debt Service fund be reduced by \$3.5 million.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 7/3/2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Allocation of Insurance Proceeds Related to the 2013 Courthouse Fire.

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input 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	\$0	\$0
	Revenue	\$0	\$0
	Net Cost	\$0	\$0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

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

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

This action has no direct fiscal impact on the 2014 Adopted Budget. It would allocate \$3.5 million in insurance proceeds related to the 2013 Courthouse Fire to the Debt Service Budget to pay County debt service costs. In addition, the 2014 Adopted Budget contribution from the Debt Service Reserve to pay County debt service costs would be reduced by the same amount, to \$11,599,000.

This resolution would result in an increase in the level of the Debt Service Reserve by \$3.5 million, to approximately \$24.4 million.

Department/Prepared By Josh Fudge, Director, DAS-PSB

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No
Did CDBP Review?² Yes No Not Required

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

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



MILWAUKEE COUNTY

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

COUNTY OF MILWAUKEE

INTEROFFICE COMMUNICATION

Date: June 30, 2014

To: Supervisor Theodore Lipscomb Sr., Chair, Judiciary, Safety and General Services Committee

From: Rick Norris, PE, Director, Community Business Development Partners (CBDP)

Subject: Update on the Minority Impact Statement

Background:

The Milwaukee County Board passed an ordinance on "Minority Impact Statement" for all County projects and contracts of \$300,000 or more. The measure, sponsored by Supervisor Khalif Rainey, is designed to assess, measure and report the efforts to engage minority populations and businesses when contracts are issued by Milwaukee County. Additionally, the ordinance is meant to identify and modify policies and procedures that may restrict fair access to contracting opportunities. The implementation of the measure will be a quantitative data-driven analysis in an effort to identify the financial impact of the Milwaukee County program and how it affects minority populations in the County.

Update:

DAS is working with Corporation Counsel and other departments to develop a more robust system that creates more meaningful and greater DBE participation. Individuals from DAS-CBDP, DAS-Economic Development, and Corporation Counsel have met to discuss policies and procedures that affect contracting opportunities for minority owned businesses. CBDP has identified protocols and procedures that may be implemented to improve participation. The following list of recommendations will minimize the impediments to contracting opportunities, and will increase participation levels. Some of the recommendations are in place, while others will require Board approval.

1. **Modification of the Fiscal Note:** Working with Supervisor Rainey and the Comptroller's Office, CBDP will further the feasibility and benefit of modifying the Fiscal Note form requiring Departments to report the impact the action item would have on the MBE, WBE and SBE community. The requirement would be relatively simple and straightforward, a check mark reflecting positive, neutral or negative impact with the opportunity to elaborate.
2. **Modification of Department Budget Narrative:** In an effort to elevate the importance of Milwaukee County's mission to support and empower MBE, WBE and SBE communities, CBDP will work with Performance, Strategy and Budget to determine the value and feasibility of incorporating a metric or specific narrative related to the MIS.
3. **Eliminate Proposal & Bid Shopping Conditions:** Currently the identification of Disadvantaged Business Enterprise (DBE) and related contract amounts are oftentimes not required in the initial proposal/bid submittal. The successful proposer/bidder is required to secure participation only after the award is given. If a proposer/bidder is not able to secure a DBE firm, a Good Faith Effort is then submitted. This practice is

inadvertently creating a “Bid Shopping” condition. The successful Prime, based in part on their fee proposal must seek subs that will agree to work within the budget. If the Prime cannot find a sub, the contract might be awarded without participation.

The remedy is to require the identification DBE firms in submittal of proposals and bids. Specifically, this includes the name of the DBE firms, proposed contract amount, and participation percentage. The benefit of this approach is two-fold: first, it assures DBE participation, eliminating the possibility of accepting a bid on a Good Faith Effort basis; second, the DBE is able to provide an economically viable bid during the bid process rather than having to accept a “take it or leave it” offer from the Prime.

4. **DBE Participation as a winning strategy:** Currently for contracts awarded through an RFP process, there is little or no qualitative analysis of an RFP submitted by a Proposer based on meaningful DBE participation; it’s a simple quantitative measure based on meeting the goal.

Going forward, proposals will be evaluated on two measures; quantitative analysis (meeting the goals percentages) and qualitative analysis (meaningful participation). As part of the proposal evaluation process, points will be given to a Proposer that has meaningful DBE participation. Knowing that meaningful participation will be part of the scoring process, Proposers will view the quality of participation as a means for gaining evaluation points in the selection process.

5. **Upfront Involvement:** In the initial development of the scope of work, CBDP will become more involved in the initial RFP/BID development stage to achieve better outcomes. For instance, in certain cases unbundling bid solicitations may increase participation in both sub and prime contraction with little or no impact.

CBDP will work with Milwaukee County Departments to identify opportunities to construct RFPs that provide easier access to DBEs without impacting efficiency or cost.

6. **Prime Consultants and Contractors Collaboration:** Currently there is limited outreach to prime contractors to explain the RFP/BID process as it relates to DBE participation.

Going forward CBDP will develop an outreach program to primes consultants and contractors to explain the RFP/BID solicitation as it relates to DBE participation and how potential Primes can utilize the CBDP department to find qualified DBE firms prior to submittal. Additionally, CBDP plans to host an Annual Consultant & Contractor meeting that identifies potential projects listed in the County budget report.

7. **Increase the pool of participants:** There may be unintentional impacts of policies that restrict access or limit participation opportunities for DBEs. For federally funded projects, the regulations restrict participation to DBE certified companies. A DBE firm graduates when the owner’s personal net worth is greater than \$1.3 million.

Under Chapter 42 for non-federally funded projects, Milwaukee County limits participation to only DBEs to satisfy participation goals. Minority Business Enterprises (MBE), Women-owned Business Enterprises (WBE) and Small Business Administration (SBE) firms are disadvantaged if they happen to have “graduated” from DBE status. As a result adopting the federal definition of DBE for our contracts creates an impediment to capacity building.

By changing Chapter 42 to include MBE, WBE (MBE & WBE, which has no personal net worth restrictions) or DBE firms for consideration on solicitation will increase participation. Milwaukee County would not certify MBE and WBE firm, but would accept the State of Wisconsin list of certified MBE and WBE firms as an option. CBDP currently certifies companies as both DBE and SBE. By including MBE, WBE and SBE, our goal is to

reduce the number of waivers reported each month, and increase the numbers of S/W/MBE firms as primes. A change in Chapter 42 requires Board approval.

8. **Good Faith Effort Language:** The existing Good Faith Effort language in solicitations needs to be clear and understandable. CBDP will provide written “uniform” procedures to ensure that Proposers/Bidders are submitting Good Faith Effort documentation that demonstrates a sincere effort to solicit DBE firms. A major procedural change is that Proposers/Bidders must contact the CBDP department for assistance for identifying certified firms. This procedure will ensure that the Proposer is using the maximum resources available to increase participation.

9. **Transformation from Information:** Currently CBDP is simply tracking and reporting on DBE waivers.

Going forward, CBDP will create a waiver database for the purpose of transforming waived contracts into future contracting opportunities. CBDP will use the database to publish the type of contracts and their related scope of services to do the following:

- a. Outreach to the DBE and S/W/MBE communities to encourage companies to consider modifying their business strategy to provide services listed on the Waiver Report. In other words to expand their business to match Milwaukee County needs.
- b. Reducing contracts without participation by expanding the pool of potential companies. CBDP will routinely perform a market analysis by cross referencing waived contracts against potential MBE, WBE and SBE firms capable of providing the service.

10. **Outreach to Milwaukee County Departments:** CBDP and Procurement departments will schedule an informational meeting to explain the new RFP/BID document preparation and selection process. The current DocuSign program is an excellent tool for contract development and management. Building off the success of DocuSign, the submittal of DBE participation forms will be mandatory in order to complete the online process.

11. **B2GNow:** A three year plan is to have departments require prime contractors to input payment information into B2GNow. B2GNow is a web-based program that tracks and monitors compliance associated with payment to certified companies. This will assist in tracking payments to firms, which should improve the cash flow position of certified firms. See attached graph.

Next Steps:

CBDP will continue to work with Supervisors, Corporation Counsel and other Departments to formulate create and implement a plan that will allow the County to pursue a shared goal of more meaningful DBE participation.

Approved by:



Rick Norris, PE
Director, CBDP

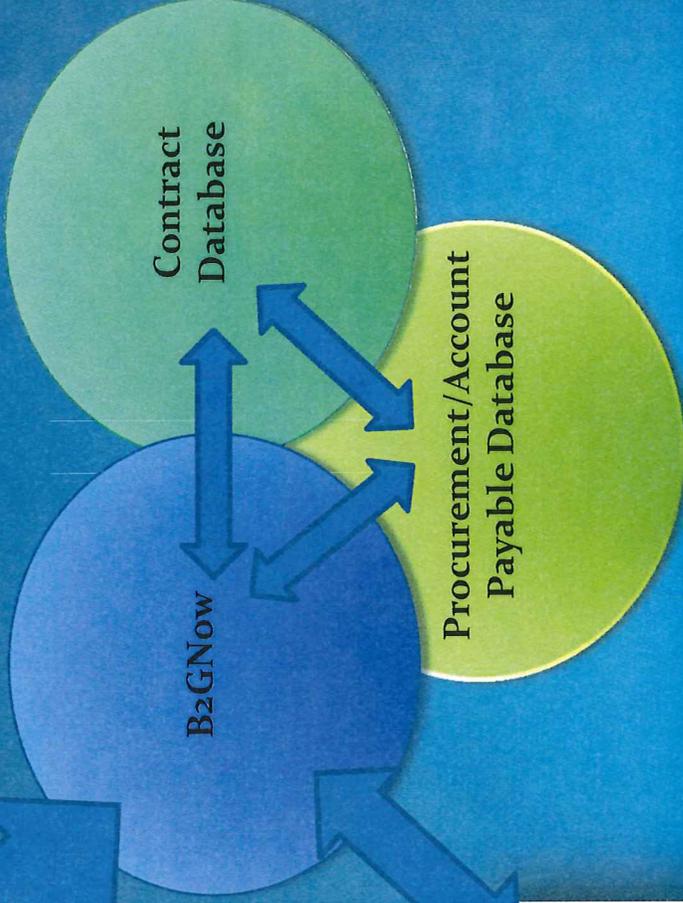
cc: Chris Abele, County Executive
Khalif Rainey, County Supervisor
Don Tyler, Director of Administrative Services

Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
Amy Pechacek, Director, Risk Management
Raisa Koltun, Interim Chief of Staff, Co. Exec's Ofc
Teig Whaley-Smith, Economic Development Director
Patrick Lee, Procurement Director
Paul Bargren, Corporation Counsel

Tracking Compliance and Payments



Prime enter
payment
status, and
certified firm
payment
status.



Certified firm will get an alert that the Prime has been paid. Or certified firm can check status. CBDP will have access as well.

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

Date: July 3, 2014

To: Supervisor Willie Johnson, Jr., Co-Chair, Finance, Personnel and Audit Cte
Supervisor David Cullen, Co-Chair, Finance, Personnel and Audit Cte
Supervisor Theo Lipscomb, Sr., Chair, Judiciary, Safety, and General Services Cte

From: Don Tyler, Director of Administrative Services
Laurie Panella, Deputy Information Officer, IMSD

Subject: Informational Report: 800 MHz Public Safety Radio System Project Update

BACKGROUND

As part of the approved 2010 Capital Budget, the County Board of Supervisors and the County Executive both approved capital project WO614-Build-Out Ten Sites to Digital. The project scope is comprehensive and includes the following deliverables from the contracted radio provider:

- Purchase and implementation of a simulcast, digital 800 MHz trunked radio system
- Installation of a microwave backhaul network
- Purchase and installation of dispatch consoles for the Milwaukee County Office of the Sheriff (MCSO), Emergency Medical Services Division (EMS) and Milwaukee County Transit Department (Transit)
- Radio tower site analysis, site development and remediation
- Mobile and portable subscriber radios for MCSO, EMS, Milwaukee County House of Correction, the Milwaukee County District Attorney's Office, Transit, Milwaukee County Department of Transportation and Public Works, Milwaukee County Zoo, General Mitchel International Airport, Milwaukee County Parks and the Department of Administrative Services – Facilities Division
- Training
- Ongoing licensing and maintenance services (Operational Costs)

The Department of Administrative Services, Information Management Services Division (IMSD), in conjunction with Waukesha County, Risk Management, the office of Community Development Business Partners, and Corporation Counsel, negotiated a contract with Motorola to purchase a public safety radio system as well as the purchase of on-going annual support and maintenance. The contract with Motorola is for a not to exceed cost of \$17,751,797 and includes system build, licensing and maintenance costs

(operational cost) for a period of ten (10) years beyond warranty expiration.

Based on this work and the final negotiations, the Milwaukee County Board of Supervisors in December, 2013 authorized the Department of Administrative Services to enter into a contract with Motorola Solutions, Inc. to purchase and install a public safety radio system as well as provide for on-going annual license and maintenance services.

UPDATE

IMSD and the Department of Administrative Services (DAS), working closely with vendors, Milwaukee County municipalities and other agencies have made great progress on the project and all deliverables remain on target. While we have kept Supervisors up-to-date individually and as requested, we thought it important to provide an overview of the current status and what has been completed thus far.

- **Motorola Contract Negotiated and Executed.** We are pleased to report that per Board authorization, DAS and IMSD executed a long-term agreement with Motorola to begin the build out of the new public safety radio system.
- **Radio Acquisitions.** As reported during the Finance, Personnel & Audit Committee Meeting in June, in addition to the substantial savings negotiated in the contract with Motorola for the Milwaukee County subscriber radios, Milwaukee County and associated agencies were able to participate in an additional per radio discount through a promotional offer ending on June 20, 2014.
 - Milwaukee County was able to achieve additional savings of more than \$600,000 in radio costs due to our ability to participate in the promotional offering;
 - Twelve (12) Milwaukee County municipalities also participated in the promotional offering, purchasing more than 800 radios and saving approximately \$400,000 in tax dollars;
- **Project Execution.** The infrastructure portion of the radio project is comprised of three categories of work; 1) radio system equipment order, receipt and installation 2) antenna site agreements and construction 3) radio system acceptance testing. The following summarizes current project status for each category of work:

Radio system equipment order, receipt and installation

- All Phase 1 (first 6 channels) radio infrastructure, subscriber, microwave back haul and antenna site equipment has been ordered per the approved equipment specifications
- Most Phase 1 radio equipment has been received and is being securely stored at the Behavioral Health Division (BHD). The equipment is being staged at BHD for delivery to the installation sites. All antenna related equipment will be received at time of installation. Approximately 50% of the subscriber portable and mobile radios ordered through the Motorola pricing promotion (Radio Acquisitions mentioned above) have been received. The remaining radios will be received by the end of July.
- Radio equipment installation has begun. Network cabling in support of

the infrastructure equipment and microwave back haul has been run in the Courthouse and Safety Building. Radio system equipment delivery and installation schedule is being developed and all installation sites are being prepared to receive the new equipment.

Radio Tower Site Agreements and Construction

- With the assistance of Corporation Counsel, Risk Management, and, as needed, the Department of Administrative Services, Architectural and Engineering Division, IMSD is negotiating radio site agreements with the site landlords.
- Radio site tower structural assessments are required and are in process. At this time, we have learned that two of our antenna towers will need structural remediation in order to handle the load of new system antennas and microwave dishes. The project team is defining and evaluating remediation alternatives. Structural remediation costs are not yet known, however, they could be substantial. It is anticipated that remediation will be funded through project contingency. The project team is expecting the assessment results of the remaining towers by mid-July.
- It is anticipated that tower and site remediation and construction will begin in early August. The most fitting tower remediation solution must be selected and site agreements must be completed before construction.

Radio System Acceptance Testing

- Phase 1 system acceptance testing is scheduled for the months of November and December 2014. This occurs after installation has been completed; it is operational testing of the Phase 1 system.
-
- **WISCOM and EF Johnson.** Given the initiatives directed at Milwaukee County and Waukesha County municipalities launched by WISCOM, IMSD and DAS had a series of meetings with WISCOM late last year to see if there was any opportunity to explore a broader relationship. The outcome was a Memorandum of Understanding that was subsequently presented jointly to an ICC sub-committee facilitated by Rob Henken. The findings were subsequently summarized at an ICC committee meeting in early fall 2013. In a nutshell, Milwaukee County and WISCOM both acknowledged that there may be opportunities to work together in the next generation of the radio platform, clarified funding resources available for municipalities (potential and limited grant money for infrastructure build out) and outlined reasons why Milwaukee County has chosen to move forward with the Motorola platform.
 - **Coordination Effort with Milwaukee County Municipalities.** As challenging as it has been to bring together Mayors, Administrators, Police and Fire Chiefs of 17+ municipalities and agencies we have made significant progress in providing critical information to them that will help shape their decisions going forward. Specifically:

- Email Communications. We have provided a an update communications to all key stakeholders through a series of email communications;
- ICC Meetings. We have updated both an ICC sub-committee and the ICC on numerous occasions;
- Negotiated Subscription Fees. We have worked closely with several municipalities in constructing a subscription and capital investment fee structure that strikes a balance between Milwaukee County's need for long term sustainability and the municipalities need to transition to a fee structure;
- Individual Meetings. We have met individually with elected officials, fire and police chiefs of 17 of the 19 municipalities to provide them with detailed information regarding the new digital platform;
- Individual Cost Proposals. We have provided a customized detailed cost outline for those municipalities requesting the information, providing them with very specific cost information based on their number and type of radios and number and type of dispatch consoles.
- Kick Off Forum. On July 2nd Milwaukee hosted a kick off meeting with all of those municipalities expressing an interest in moving forward on the new digital system. We were pleased with the response, having 15 municipalities in attendance to review the governance structure, the Inter-Governmental Agreement (IGA) and receive an update of the progress.
- Governance Structure Framed. With this group we discussed the framework of three bodies: the governing board, the technical committee and the operations committee. We have received general consensus to identify potential members and get the effort underway.
- IGA Drafted and Presented. Additionally at this meeting we outlined the framework, roles and responsibilities and fee structures within the IGA and will be receiving feedback from the municipalities in the coming weeks.

REMAINING STEPS

- **Continued 2014 Phase 1 Project Execution.** Next steps for the radio system build out are as follows;
 - Radio system equipment order, receipt and installation
 - Continue to receive, inventory and asset tag all new Phase 1 equipment
 - Continue to install and connect all equipment per the project plan
 - Antenna site agreements and construction
 - Complete site agreement modifications and negotiations.
 - Complete antenna tower assessments and select most fitting structural remediation solution.
 - Implement the tower remediation solution and begin construction
 - Program and distribute subscriber radios
 - Prepare training plan and materials and conduct system training
 - Prepare and execute Phase I radio system acceptance test plan
- **2015 Phase II Project Execution**
 - Implement the second bank of 6 channels

- **2016 Phase III Project Execution**
 - Implement the final bank of 6 channels
 - System acceptance testing
 - Final System Acceptance and project closure
- **Establishing the Milwaukee County Public Safety Radio Governance Committee.** In the coming weeks, Milwaukee County and the associations for the Fire and Police Chiefs will begin the selection process of the Governance Board and begin meeting in an effort to clarify roles and responsibilities.
- **Prepare IGAs for Approval and Execution.** Milwaukee County will continue to work with the municipalities to craft the final version of the IGA for presentation to their respective boards for approval, for us to present to the ICC for approval and final to present to the Milwaukee County committees and board for approval during the September cycle.

Prepared by:



Laurie Panella
Deputy Information Officer, IMSD

Approved by:



Don Tyler
Director of Admin Services

cc: Chris Abele, County Executive
 Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors
 Supervisor Jason Haas, Vice Chair, Finance, Personnel and Audit Cte
 Supervisor Mark Borkowski, Vice Chair, Judiciary, Safety, & Gen Services Cte
 Raisa Koltun, Chief of Staff, County Executive's Office
 Kelly Bablitch, Chief of Staff, County Board
 Don Tyler, Director, DAS
 Josh Fudge, Director, Office of Performance, Strategy & Budget, DAS
 Steve Cady, Research and Policy Director, Office of the Comptroller
 Erica Hayden, Research and Policy Analyst, Office of the Comptroller
 Janelle Jensen, Committee Clerk, Finance and Audit Committee
 Alexis Gassenhuber, Committee Clerk, Judiciary, Safety, & Gen Services Cte
 Pamela Bryant, Capital Finance Manager, Office of the Comptroller
 Vince Masterson, Fiscal Management Analyst, DAS
 Justin Rodriguez, Capital Finance Planning Analyst, Office of the Comptroller
 Ayce Chiappetta, Fiscal Management Analyst, DAS
 Rich Foscatto, IT Director of Applications, IMSD
 Hugh Morris, Business Systems Project Manager, IMSD



County of Milwaukee
Office of the Sheriff

David A. Clarke, Jr.
Sheriff

DATE: July 9, 2014

TO: Supervisor Theodore Lipscomb, Sr., 1st District
 Chairman, Judiciary, Safety and General Services

FROM: Edward H. Bailey, Inspector, Milwaukee County Office of the Sheriff

SUBJECT: **Item # 14-614 From the Office of the Sheriff, providing a midyear report / update on Airport Patrol activities. (INFORMATIONAL ONLY)**

BACKGROUND: The MCSO Airport Division provides both security assistance and is the primary law enforcement agency at General Mitchell International Airport. It has, in recent years, accomplished this duty with an assigned force of 50 Deputy Sheriff 1 positions plus a 4-member K9 complement, and supervisory and clerical positions totaling 63 personnel. In the FY 2014 budget, the staffing was reduced by 9 FTE positions: 6.0 FTE Deputy Sheriff 1 positions were transferred to the Courts area; 1.0 FTE Deputy Sheriff Bi-Lingual/Spanish position was abolished; 2 Sergeant positions were abolished. As a result, the 2014 staffing has been established at 1 Deputy Sheriff's Captain, 1 Deputy Sheriff Lieutenant, 4.0 Deputy Sheriff Sergeant positions, 43 Deputy Sheriff posts, 4 K9 (Bomb) posts, and 1.0 Clerical: 54 positions total. As of the date of this report, of the 43 Deputy Sheriff 1 positions, 2 are currently out on Workers Compensation issues; and 2 are out on FMLA leave, including 1 Sergeant.

As these positions, less citation and grant revenue, are charged to the Airport and thus tax levy neutral, operating costs of \$110,936 are budgeted and revenues of \$257,000 are forecast in the budget. All positions are currently filled.

Incidents of Note:

- As we reported in 2013, MCSO investigated 9 auto break-ins last year: 5 in remote lot B in the spring; and 4 additional break-ins / damage in the summer. We are pleased to report that through the midpoint of 2014, we have experienced no incidents of this type.
- On Memorial Day, Airport Deputies, Captain Evans and Fire personnel, including Chief Chapman, performed CPR and used an AED to resuscitate a female traveler returning from a vacation in Denver who collapsed in the baggage claim area. These officers turned the subject over to the paramedic unit. The subject is continuing her

recovery, after being treated long-term at Elmbrook Memorial Hospital. These officers and fire personnel will be recognized at the yearly MCSO Awards event in October.

Halfway Point of 2014: Labor Costs = 50% of 2014 Budget

4016 – AIRPORT SECURITY – 2014-2012						
ACCT NBR	ACCOUNT NAME	2014 BUDGET	2014 ACTUAL	2013 BUDGET	2013 ACTUAL	2012 ACTUAL
	DIRECT LABOR-OFFTIME CHARGED/(APPLIED)		(390,499)		(1,181,627)	(682,698)
5199	SALARIES-WAGES BUDGET	3,187,057	1,629,235	3,715,115	3,722,488	3,196,861
5201	OVERTIME	382,260	398,929	382,272	765,055	566,519
5348	SICK PAY BAL PAYOUT				1,819	
5312	SOCIAL SECURITY TAXES	256,184	149,160	314,166	326,244	279,799
5318	UNEMPLOYMENT COMP					13,068
5321	UNIFORM ALLOWANCE	24,650		24,225	23,266	(1,615)
5322	EDUCATIONAL BONUS	16,975		15,650	18,025	16,975
5325	LONGEVITY PAY	15,528		8,020	17,862	15,528
5390	FRINGE BENEFIT TRF-DIRECT				(806)	(5,840)
5402	FRINGE BENEFIT PENSION ADJUST	33,182	33,182	(6,548)	(6,548)	25,844
5420	EMPLOYEE HEALTH CARE	651,378	337,833	759,089	759,089	671,413
5421	EMPLOYEE PENSION	333,984	227,740	552,098	552,098	430,670
5422	LEGACY HEALTHCARE	869,579	512,491	809,711	809,711	816,433
5423	LEGACY PENSION	567,263	332,836	515,214	515,214	469,021
5490	FRINGE BENEFIT TRF				92,421	53,643
	PERSONAL SERVICES	6,338,040	3,230,907	7,089,012	6,414,312	5,865,621
4018 – K-9 PATROL – 2014-2012						
ACCT NBR	ACCOUNT NAME	2014 BUDGET	2014 ACTUAL	2013 BUDGET	2013 ACTUAL	2012 ACTUAL
	PERSONAL SERVICES	500,966	263,619	473,608	577,052	528,262

See Attachment

S:// Edward H. Bailey, I7

Edward H. Bailey, Inspector, Milwaukee County Office of the Sheriff

Airport YTD 2014

Part 1 Crimes

Charges	No. of Cases
Vehicle Theft	28
Simple Assault	4
Larceny	3
Retail Theft	1
Assault	1
Possess/Operate Stolen Vehicle	1
Grand Total	38

Warrant Arrests

Description	No. of Arrests
Warrant	8
Theft	3
Operating After Suspension	2
Disorderly Conduct	1
Non-Registration of Auto, Etc.	1
Trade Secrets Theft-False Representation	1
Bail Jumping-Misdemeanor	1
Operate w/o Valid License (2nd)	1
Operating While Revoked (1st Forfeiture)	1
Grand Total	19

Summary Arrests

Description	No. of Arrests
Disorderly Conduct	10
Operating While Intoxicated	6
Battery	4
OAR (1st - Rev Due To OWI/PAC)	3
Possession Of Marijuana	3
Possess Drug Paraphernalia	2
Operating with PAC Of .10 Or More (1st)	2
Possess Or Deliver Drug Paraphernalia	2
Failure To Keep Vehicle Under Control	2
Loitering In County Buildings	2
Operating while Intoxicated (2nd)	2
Vandalism/prop. Damage (airport)	1
Resisting or Obstructing an Officer	1
Oper w/o owners consent	1
Operating After Revocation	1
Theft	1
Bail Jumping-Felony	1
Operate With Controlled Substance (1st)	1
Carrying concealed weapon	1
Possession of THC	1
Operating with PAC Of .08 Or More (2nd)	1
Take and Drive Vehicle w/o Consent	1
Fraud on Taxicab Operator	1
Unreasonable and Imprudent Speed	1
Exceeding Speed Zones, ETC (25-29 MPH)	1
Warrant	1
Possess Open Intoxicants In MV-Driver	1
Deviation from Designated Lane	1
Grand Total	55

Weapons Charges

Charges	No. of Cases
Carry Concealed Weapon	13
Carrying Prohib Weapon	2
Weapon Offense	1
Possession of Weapon	1
Grand Total	17

Citations

Description	No. of Citations
Carrying concealed weapon	13
Disorderly Conduct	8
Possession of Drug Paraphernalia	2
Possession Of Marijuana	2
Presenting Weapon At Security Screening	1
Forged/falsified Id By Underaged Person	1
Smoking In County Building	1
Loitering (airport)	1
Possess Or Deliver Drug Paraphernalia	1
Grand Total	30

Narcotic Charges

Charges	No. of Cases
Narcotic Equip-Possession	7
Marijuana-Possession	5
Dangerous Drugs	2
Grand Total	14

SUBJECT: Item # 14-614 From the Office of the Sheriff, providing a midyear report / update detailing Park Patrol / Targeted Enforcement Unit activities. (INFORMATIONAL ONLY)

BACKGROUND: In 2004, with the transfer of 16 Deputy Sheriff and 1 Deputy Sheriff Sergeant from various units within the Sheriff's Office and the creation of the Gun Reduction Interdiction Program (GRIP), our Police Service Bureau's efforts included focus on urban crime. Beginning in 2007, when GRIP broadened to become the MCSO Targeted Enforcement Unit (TEU), that focus once again came to include traditional MCSO jurisdictions of Parks and on the MCSO Transit system, and staffing increased to include 2 Deputy Sheriff Sergeants and 25 Deputy Sheriffs. Following the budget process resulting in FY 2013, the Office of the Sheriff reengaged in a Parks Patrolling plan that envisioned a full return to the deployment patterns and zoned, high-visibility patrols that had previously existed in MCSO Parks policing. During that process, the County Board requested that the Sheriff submit periodic reports and updates detailing Park / TEU activities. The 2014 budget maintains the Park Patrol and Tactical Enforcement Unit, at staffing of 15.0 FTE Deputy Sheriff 1, 1.0 FTE Deputy Sheriff Sergeant, and 1.0 FTE Parking Checker Hourly position. These positions are funded at a total cost of \$1,352,526.

Budget Summary (From Milwaukee County FY 2014 Adopted)**

Category	2012 Actual	2013 Budget	2014 Budget	2014/2013 Var
Expenditures	\$2,259,995	\$3,607,960	\$2,585,322	(\$1,022,638)
Revenues	\$219,701	\$92,000	\$69,500	(\$22,500)
Tax Levy	\$2,040,294	\$3,515,960	\$2,515,822	(\$1,000,138)
Personnel	28	28	17	(11)

TEU Assigned:

Sergeant Charles Stowers	218-9705
Deputy Sheriff Brian Morgan	640-0766
Deputy Sheriff Elston Howze	651-3243
Deputy Sheriff Donna Scalise	659-3072
Deputy Sheriff Travis Thompson	651-3225
Deputy Sheriff Joann Donner	651-3275
Deputy Sheriff Marlone Jones	651-3208
Deputy Sheriff Wesley Boone	254-0256
Deputy Sheriff Jamie Arnold (K-9)	940-2216
Deputy Sheriff Joel Streicher (K-9)	469-9969
Deputy Sheriff Steven Geason	659-4501
Deputy Sheriff Brad Lessila (K-9)	217-6668
Deputy Sheriff Eric Worden	659-3361
Deputy Sheriff Nicholas Kellner	690-0762
Deputy Sheriff Roberto Hernandez (K-9)	426-4367
Deputy Sheriff Alexis Colon	507-0139
Detective Warren Spottek	226-7230

Beginning on April 1, at the request of the committee at the March meeting, our TEU supervisory members have conducted personalized briefings with 7 County Supervisors to discuss pre-season parks issues in their district.

Parks Incidents of Note:

- On **June 16**, a pretrial hearing was held in the matter of the final defendant (Milwaukee County Case Number 2013CF003335, Webb, Quinten, 22) who was taken into custody on July 18, 2013, by Milwaukee County Sheriff's Office for his connection with the McGovern Park Armed Robbery. The defendant has been arraigned on the following charges: 943.32(2) - Armed Robbery with Threat of Force - 2 COUNTS / 941.23(2) - Carry Concealed Weapon. The defendant remains out of custody on a \$2,000.00 cash bail. While under the supervision of Justice Point, the defendant recently tested positive for the use of THC. Justice Point filed a violation report with the courts. In the prior adjudicated cases, the other 4 defendants received: Cashmeir T. Williams (M 20), 2013CF003336, charged with Possession of Firearm by Felon and Robbery with Threat of Force (2 COUNTS): The Court sentenced the defendant to the Wisconsin State Prison System for a Maximum Term of Imprisonment of 17 years concurrent to any other sentence with an initial term of confinement of 8 years with 9 years of Extended Supervision. Lasherriana S. Neal (F 20), 2013CF003333, amended to Harboring / Aiding a Felon: The Court sentenced the defendant to serve 1 year in the House of Correction, with release privileges for school and treatment. The Court STAYED this sentence and placed her on probation for a period of 1 year. Upon successful completion of probation, the Court will order expungement. Randall A Lee, (M 19), 2013CF003332, charged with Resisting / Obstructing an Officer: The Court sentenced the defendant to 113 days in the House of Correction with credit for 113 days time served. Iessha S. Watson (F 18), 2013CF003334, amended to Harboring / Aiding a Felon: The Court sentenced the defendant to serve 1 year in the House of Correction, with release privileges for school and treatment. The Court STAYED this sentence and placed her on probation for a period of 18 months.
- On **May 14**, at 6:40 PM, TEU responded to a **person found dead in Noyes Park**. The deceased, a 24-year-old male who resided .9 miles from the park, was found hanging, by the neck, from a tree. MFD engine 39 arrived on scene. ME Forensic Investigator Crystal Green processed the scene for her office. The decedent had previously made statements that if he went missing, he could be found in Noyes Park and had prior instances of suicidal attempt. **CID is conducting follow-up investigation.**
- On **June 9th**, at 2123 hours, MCSO Communications received notification of an **armed robbery occurring at Tiefenthaler Park**, 2501 W. Galena St. TEU Deputies and Captain Colin Briggs responded to the area. The victim, a 19-year-old female, reported being approached by a group of approximately eight (8) males wearing all black clothing. One of the subjects put a handgun to her head and demanded her money. She stated that she surrendered \$25.00 and was pushed to the ground before the subjects fled. The victim was taken into custody on an outstanding MCSO felony arrest warrant for 2nd Degree Recklessly Endangering Safety while Armed. **CID is conducting follow-up investigation.**
- On **June 25**, an evening **shooting at Doyne Park** occurred on the Basketball courts. The suspect had an argument with the victim; the suspect left for a short time before returning, approaching the male victim and striking him in the head causing a

laceration to the forehead. During this event, the gun discharged, with no one struck. **CID is conducting the follow-up investigation.**

- On **June 29**, shortly before midnight, MCSO Dispatch advised of a reported **Battery that occurred at Kosciuszko Park**. Deputies responded to the scene and met the 57-year-old victim, who was being treated by Bell Ambulance. An area canvass was conducted to check for potential witnesses/suspects with negative results. The victim stated that he was in the park by the boxing building when he was approached by whom he described as 5 Latino males who attacked and robbed him, taking \$4.00 in cash and his cell phone. **CID is conducting the follow-up investigation.**
- On June 30, shortly after midnight, MCSO Communications received a telephone call from a 20 year old female victim who stated that she was **assaulted**, by being punched in the eye suffering a laceration at right eyebrow requiring 4-5 stitches, by an unknown subject **while riding on MCTS Bus #5131 from the Summerfest grounds while it approached the College Avenue Park and Ride**. Once this matter was referred to CID for investigation, and the video of the incident made public, **the subjects involved in the battery turned themselves in** and were arrested and booked. CID will be seeking the following charges: Alyssa L. Yaeger, age 20, of Milwaukee, for Felony Substantial Battery / Donald M. Jager, age 21, of Milwaukee, for Felony Battery to Public Transportation Passenger / Nitzary D. Ortiz, age 21, of South Milwaukee, for Disorderly Conduct.
- On July 3, at 7:29 PM, a traffic stop on northbound Lincoln Memorial Drive at Bradford Beach by a TEU deputy, prior to the Fireworks event, yielded a subject in possession of a semi-automatic Phoenix .25 caliber handgun and a Colt .357 Revolver handgun. Subject was taken into custody for Carrying Concealed Weapons, as Class A Misdemeanors, and Possession of Marijuana.
- On **July 4th**, at 1630 hours, MCSO Communications received a call of **shots fired at Doyne Park**. Numerous MCSO squads were already on duty at Doyne for the July 4th parks assignment and responded. According to witnesses, two black males were involved in an argument at a picnic site. One male, as he was walking across the basketball court, produced a handgun and fired a shot into the air. The suspect got into a car, but then got back out and fired several shots at the second subject who was driving away. TEU Deputies, along with DI Weberg, CPT Stiff, LT Rutter and LT Konkel processed the scene for evidence. Witnesses were interviewed and a canvass of the immediate area was completed. Det. Louis Cooper, on scene, became the lead investigator along with Det. Don Desotell. 9mm shell casings were recovered at the scene along with bullets for ballistics from a struck vehicle. **On July 8, this case was cleared by the arrest** of Dugger Kennedy Jr., 23. At the time of the arrest he was in possession of the 9mm handgun suspected in this crime; he confessed in a mirandized interview, and is being referred for charging as Endangering Safety by Use of a Dangerous Weapon, as a Felony.

Halfway Point of 2014: Labor Costs = 48% of 2014 Budget

4019 – PARK PATROL/TEU – 2014-2012						
ACCT NBR	ACCOUNT NAME	2014 BUDGET	2014 ACTUAL	2013 BUDGET	2013 ACTUAL	2012 ACTUAL
	DIRECT LABOR-OFFTIME CHARGED/(APPLIED)		(542,934)		(355,588)	494
5199	SALARIES-WAGES BUDGET	1,134,798	794,609	1,751,152	2,064,116	791,013
5201	OVERTIME	164,964	178,932	292,128	429,771	151,042
5312	SOCIAL SECURITY TAXES	88,900	72,938	154,706	189,719	70,483
5318	UNEMPLOYMENT COMP					10,527
5321	UNIFORM ALLOWANCE	11,475		11,475	12,750	(773)
5322	EDUCATIONAL BONUS	1,825		3,600	9,325	1,825
5325	LONGEVITY PAY	6,594		6,396	9,456	6,594
5390	FRINGE BENEFIT TRF-DIRECT				2,826	3,632
5402	FRINGE BENEFIT PENSION ADJUST	13,414	13,414	(3,625)	(3,625)	12,090
5420	EMPLOYEE HEALTH CARE	225,863	159,273	409,411	409,411	161,799
5421	EMPLOYEE PENSION	117,134	111,023	305,861	305,861	102,387
5422	LEGACY HEALTHCARE	386,528	227,801	350,138	350,138	341,988
5423	LEGACY PENSION	248,710	145,929	220,312	220,312	198,035
5490	FRINGE BENEFIT TRF				100,755	40,288
	PERSONAL SERVICES	2,400,205	1,160,985	3,501,554	3,745,225	1,891,424

See Attachment

S:// Edward H. Bailey, I7

Edward H. Bailey, Inspector, Milwaukee County Office of the Sheriff

Parks / TEU YTD 2014

Park Patrol / Targeted Enforcement Unit - 2014

	YTD 2014	YTD 2013	% Change	YTD 2014	YTD 2012	% Change
Incidents						
Part I Crimes	24	61	-61%	24	13	86%
Arrests						
Summary Arrests	28	151	-81%	28	23	22%
Warrant Arrests	37	31	19%	37	16	131%
Summoned/Cited And Released	14	6	133%	14	2	600%
Attempt to Arrest/Contact	0	1	-100%	0	0	0%
*TOTAL Arrests	79	189	-58%	79	41	93%

Park Patrol / Targeted Enforcement Unit - 2014

	YTD 2014	YTD 2013	% Change	YTD 2014	YTD 2012	% Change
Citations						
Uniform Traffic	1111	3087	-64%	1111	467	138%
County Ordinance	45	119	-62%	45	71	-37%
Parking	106	211	-50%	106	93	14%
Juvenile Alcohol	11	35	-69%	11	24	-54%
*TOTAL Citations	1273	3452	-63%	1273	655	94%

Description	No. of Incidents
Burglary-Forced Entry-Nonres	5
Theft-All Others	5
Theft-From Auto	3
Assault	2
Theft-From Building	2
Simple Assault	1
Theft-From Yards	1
Burglary-No Forced Entry-Nonre	1
Theft-From Coin Machine	1
Resisting Officer	1
Agg Asslt-Gun	1
Robbery-Street-Strongarm	1
Grand Total	24

	YTD 2014	YTD 2013	% Change
Calls For Service			
Alarm	4	5	-20%
Animal Complaint	21	23	-9%
Back-up/Mutual Aid	15	63	-76%
Battery Complaint	11	0	1,100%
Burglary Complaint	2	2	0%
Criminal Damage Complaint	42	66	-36%
Death Investigation	2	3	-33%
Disturbance Complaint	67	75	-11%
Drug Activity/Loitering	2	0	200%
Field Interview	10	0	1,000%
Fire Investigation	6	10	-40%
High Visibility Patrol Inspection	3218	7880	-59%
Incident/Suspicious Activity	22	23	-4%
Lost Child/Person	9	1	800%
Medical	7	0	700%
Parking Complaint	59	29	103%
Recovered Property	4	9	-56%
Robbery Complaint	3	5	-40%
Theft	10	20	-50%
Theft From/Vehicle Theft	1	2	-50%
Traffic Stop	348	1596	-78%
Vehicle Crash	15	34	-56%
Weapon Complaint	4	20	-80%
*TOTAL Calls For Service	3882	9866	-61%

Transit / Targeted Enforcement Unit - 2014

	YTD 2014	YTD 2013	% Change	YTD 2014	YTD 2012	% Change
INCIDENTS						
-	0	0	0%	0	0	0%
Assault On Operator	9	16	-44%	9	33	-73%
Assault On Passenger	18	30	-40%	18	32	-44%
Disorderly Conduct	530	545	-3%	530	478	11%
Disorderly Conduct Operator	0	0	0%	0	0	0%
Fare Dispute / Non-Payment	366	331	11%	366	283	29%
Fight (physical or verbal)	95	88	8%	95	109	-13%
Objects Thrown At Bus	73	139	-47%	73	148	-51%
Ordinance Violations	466	428	9%	466	400	17%
Other Passenger Problem	0	0	0%	0	0	0%
Other Student Problem	0	0	0%	0	0	0%
Security Info From Operator	68	140	-51%	68	244	-72%
Theft	66	82	-20%	66	65	2%
Vandalism/Graffiti	67	96	-30%	67	115	-42%
*TOTAL INCIDENTS	1758	1895	-7%	1758	1907	-8%

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: July 1, 2013

TO: Marina Dimitrijevic, Chairwoman, County Board of Supervisors

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

SUBJECT: *Wilfredo Rivera v. Milwaukee County et al.*
E.D. Wis. Case No. 13-CV-1156

I request that this matter be referred to the Committee on Judiciary, Safety and General Services for approval of a settlement in the total amount of \$21,500 and placement of Mr. Rivera into the position of Technical Specialist Level IV, step 1 of the pay range. The settlement includes the payment by Wisconsin County Mutual of attorneys' fees to Rivera's attorneys in the amount of \$6,500.00 and payment by Milwaukee County of back wages in the amount of \$15,000.00. The defense of this case was handled by Attorney Roy Williams of our office and then after his departure from our office was handled by outside counsel with Lindner & Marsack through the Wisconsin County Mutual. Settlement is recommended by both their office and ours.

Rivera began his employment with the County in October of 2001 as a Tech II at the Airport. He was supervised by the Accounting Manager. When a Tech IV position became vacant, Rivera applied for the promotion. He was interviewed by a three person panel comprised of the now-retired Accounting Manager and two private individuals from outside county government. All three panelists were white males; Rivera is Hispanic. Another Tech II who applied for the position, a white male, was given the promotion. Rivera alleges that he was more qualified for the promotion. Following the promotion, Rivera alleges that he and the promoted Tech IV were nevertheless given the same duties without any meaningful distinction between them, despite Rivera's lower pay and title. Rivera alleges that the County illegally discriminated against him based on race in making the promotion decision and illegally discriminated against him following the promotion by giving him the same work as the promoted employee for less pay.

Rivera claims lost wages, including overtime, for approximately three years since the promotion of the other employee in the total of approximately \$65,000.00. Rivera will be entitled to recover his attorneys' fees if he recovers any damages in

this case. Rivera claims that his attorneys' fees are approximately \$10,000.00 at this point in time and will, of course, increase with further litigation.

The Airport has another vacant Tech IV position. The proposed settlement will promote Rivera into this Tech IV position, at step 1 of the pay range.

Outside counsel negotiated with Rivera's counsel and recently reached an agreement to settle the case for the payment by Milwaukee County of \$15,000 in back wages and the payment by Wisconsin Mutual of \$6,500 in attorneys' fees. We join with outside counsel in recommending this settlement.

cc: Raisa Koltun
Kelly Bablitch
Alexis Gassenhuber
Erica Hayden

1 From Corporation Counsel requesting approval of a resolution authorizing
2 a settlement of *Wilfredo Rivera v. Milwaukee County*, E.D. Wis. Case No.
3 13-CV-1156.

4
5 File No. 14-
6

7
8 A RESOLUTION
9

10
11 WHEREAS, in October 2001, Wilfredo Rivera was hired by Milwaukee
12 County at the airport as a Technical Specialist Level II; and
13

14 WHEREAS, in 2011, Rivera applied for a promotion to a vacant
15 Technical Specialist Level IV position; and
16

17 WHEREAS, the interview panel was composed of the Accounting
18 Manager (since retired) and two private individuals; and
19

20 WHEREAS, Rivera is an Hispanic male and all three of the interview
21 panelists were white males and another county employee who was a
22 white male was promoted to the Tech IV position; and
23

24 WHEREAS, Rivera alleges that he was more qualified than the
25 promoted employee, that the Accounting Manager subsequently did not
26 distinguish between the promoted white male and Rivera with respect to
27 the duties that he gave them and that Rivera performed the same duties
28 as the promoted Tech IV employee for less pay; and
29

30 WHEREAS, Rivera alleges that his non-promotion and his subsequent
31 supervision by the Accounting Manager was based on illegal
32 discrimination; and
33

34 WHEREAS, Rivera claims lost wages, including overtime, for the three
35 years since not being promoted totaling approximately \$65,000 and
36 further claims attorneys' fees against Milwaukee County as a portion of his
37 recovery, currently alleged to be approximately \$10,000; and
38

39 WHEREAS, Milwaukee County's counsel negotiated a settlement
40 with Rivera and his counsel for a payment by Milwaukee County of back
41 wages to Rivera in the amount of \$15,000, a payment by the Wisconsin
42 County Mutual to Rivera's attorneys, The Previant Law Firm S.C., of fees in
43 the amount of \$6,500 and the promotion of Rivera and his assignment to a
44 vacant Technical Specialist Level IV position at Step 1 of the pay range;

45

46 NOW, THEREFORE, BE IT RESOLVED that Milwaukee County approves
47 a settlement with Rivera which includes a payment by Milwaukee County
48 to Rivera of back wages in the amount of \$15,000, a payment by the
49 Wisconsin County Mutual to Rivera's attorneys, The Previant Law Firm S.C.,
50 of fees in the amount of \$6,500 and the promotion of Rivera and his
51 assignment to a vacant Technical Specialist Level IV position at Step 1 of
52 the pay range in return for a full release of all claims by Rivera and the
53 dismissal of the pending action.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: July 1, 2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution approving a settlement in Rivera v. Milwaukee County, E.D. Wis. Case No. 13-CV-1156.

FISCAL EFFECT:

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

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

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	21,500	
	Revenue	21,500	
	Net Cost	0	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

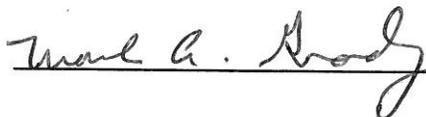
In the space below, you must provide the following information. Attach additional pages if necessary.

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

Approval of this resolution authorizes the Wisconsin County Mutual Insurance Corporation to pay \$6,500 to The Previant Law Firm S.C., attorneys for Wifredo Rivera and for Milwaukee County to pay Rivera back wages of \$15,000, in return for a release of all claims and a dismissal of the suit. The Mutual's payment will be applied to the County's deductible; the County's payment will be made from the airport operations budget with no tax levy impact.

Department/Prepared By Mark A. Grady, Deputy Corporation Counsel

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CBDP Review?² Yes No Not Required

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

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

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: July 2, 2014

TO: Marina Dimitrijevic, Chairwoman, County Board of Supervisors

FROM: Molly J. Zillig, Principal Assistant Corporation Counsel

SUBJECT: *Dena Hunt, et al. v. Milwaukee County*
U.S. District Court, E.D. Case No. 13CV00586

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 Dena Hunt ("Hunt") for a payment of back wages by Milwaukee County in the amount of \$43,336.31 and a payment by the Wisconsin County Mutual of attorneys' fees in the amount of \$45,000.00. The back wages will be paid from the Department of Health and Human Services' 2014 Salary Budget.

Hunt's claims are similar and related to the claims of Jean Wolfgang and Jean Orlow. The Committee and the Board approved settlements of the Wolfgang and Orlow claims in the May cycle (File Nos. 14-384 and 14-385). The Hunt claim is the last known claim related to these issues.

Hunt (female) has sued Milwaukee County alleging gender discrimination in violation of the Equal Pay Act, Title VII of the Civil Rights Act of 1964 and the Equal Protection Clause. From July 25, 2011 to April 27, 2013, Hunt worked for the Department of Health and Human Services in the Housing Division as a Housing and Development Program Coordinator in pay grade 28M at Step 4. She alleges that there were two (2) male Program Coordinators in the Housing Division doing her same job, but being paid in pay grade 31M and receiving a higher hourly wage than Hunt. In April 2013, the position itself underwent a compensation study that resulted in a position reclassification to Housing Program Manager in pay grade 33M. Although the reclassification process increased Hunt's hourly wage, she continued to receive less compensation than her two (2) male predecessors received.

Settlement of this matter will result in a payment by Milwaukee County to Hunt for back wages in 2011 through 2014 in the amount of \$43,336.31 minus

appropriate payroll deductions. In addition, Milwaukee County will advance Hunt from Step 3 to Step 5 in her current pay grade 33M.

This proposed settlement followed extensive discovery exchanged between the parties. The parties attended a mediation with U.S. District Court Judge Nancy Joseph who helped negotiate this settlement. Hunt will dismiss her federal lawsuit and provide the County with a full and complete release.

Wisconsin County Mutual Insurance Corporation will pay \$45,000 for attorney's fees. This amount is a settlement of attorneys' fees claimed for both the Hunt case and for the Wolfgang case. That case was settled with a back pay award and step increase to Ms. Wolfgang, but the attorney fees issue in the Wolfgang case was held in abeyance pending the settlement or trial of the Hunt case. At the mediation, attorneys' fees were claimed for both cases in the approximate amount of \$83,000, but were negotiated to the \$45,000 amount.

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



Molly J. Zillig, Assistant Corporation Counsel

cc: Kelly Bablitch
Alexis Gassenhuber
Raisa Koltun
Erica Hayden

1 From Corporation Counsel recommending the adoption of a resolution to settle
2 the gender discrimination claims in Dena Hunt v. Milwaukee County, Case No.
3 13-CV-586

4
5 File No. 14-
6 (Journal,)
7

8
9 A RESOLUTION

10
11 WHEREAS, Dena Hunt ("Hunt") worked as a Housing and Development
12 Program Coordinator in pay grade 28M at Step 4 from July 25, 2011 to April 27,
13 2013; and

14
15 WHEREAS, Hunt's position completed a compensation study that resulted
16 in her position being reclassified to Housing Program Manager in pay grade 33M
17 at Step 1 in April 2013; and

18
19 WHEREAS, Hunt alleges that she suffered discrimination based on her
20 gender in that she performed the same job as male program coordinators in her
21 division in a lower pay grade than the other male program coordinators; and

22
23 WHEREAS, Hunts claims are similar and related to the claims of Jean
24 Wolfgang and Jean Orlow and the Board approved settlements of the
25 Wolfgang and Orlow claims on May 22, 2014 (File Nos. 14-384 and 14-385);
26 and

27
28 WHEREAS, a settlement has been negotiated calling for payment by
29 Milwaukee County to Hunt for back wages in 2011 through 2014 in the amount
30 of \$43,336.31 minus appropriate payroll deductions, a payment of attorneys'
31 fees in the amount of \$45,000.00 by the Wisconsin County Mutual Insurance
32 Corporation for both the Wolfgang and Hunt claims, and for the Department of
33 Health and Human Services advancing Hunt from Step 3 to Step 5 of her current
34 pay grade 33M; and

35
36 WHEREAS, extensive discovery was exchanged between the parties; and

37
38
39 WHEREAS, negotiations between the County by the Office of Corporation
40 Counsel, and Dena Hunt and Jean Wolfgang and their attorneys, Gunta Law
41 Offices, resulted in a settlement agreement at a mediation before U.S. District
42 Court Judge Nancy Joseph; and

43

44 WHEREAS, the tentative settlement agreement provides for a release of all
45 Hunt's claims against Milwaukee County in return for the payments set forth
46 above; and

47

48

49 WHEREAS, the Office of Corporation Counsel recommends this settlement;
50 and

51

52 WHEREAS, the Committee on Judiciary, Safety and General Services
53 approved this settlement at its meeting on July 17, 2014 by a vote of ____;

54

55 NOW, THEREFORE, BE IT RESOLVED, that the Milwaukee County Board of
56 Supervisors approves the payment from the Department of Health and Human
57 Services' 2014 Salary Budget in the amount of \$43,336.31 to Hunt and Hunt's
58 advancement to Step 5 of pay grade 33M and a payment of \$45,000 by the
59 Wisconsin County Mutual Insurance Corporation to the Gunta Law Offices for
60 attorneys fees to settle all claims arising out of Hunt and Wolfgang's lawsuit in
61 return for a full release and a dismissal of said lawsuit.

62

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: July 2, 2014

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution to approve the settlement of a discrimination lawsuit filed by Dena Hunt v. Milwaukee County, Case No. 13-CV-0586.

FISCAL EFFECT:

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

<input type="checkbox"/> Decrease Operating Expenditures

<input type="checkbox"/> Increase Operating Revenues

<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures

<input type="checkbox"/> Decrease Capital Expenditures

<input type="checkbox"/> Increase Capital Revenues

<input type="checkbox"/> Decrease Capital Revenues

<input type="checkbox"/> Use of contingent funds |
|--|--|

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

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	43,336.31	
	Revenue		
	Net Cost	43,336.31	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

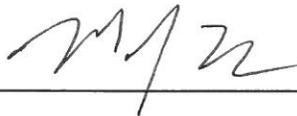
DESCRIPTION OF FISCAL EFFECT

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

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
- A. The County is proposing a settlement to Dena Hunt, who filed a lawsuit in federal court alleging gender discrimination. Adoption of this settlement will result in a payment to Dena Hunt in the amount of \$43,336.31 in back wages less appropriate payroll deductions from the salary account budget of the Department of Health and Human Services and a payment of \$45,000 for attorneys' fees by the Wisconsin County Mutual.
- B. Approval of this Resolution authorizes a payment of \$43,336.31 to Dena Hunt from the salary account budget of the Department of Health and Human Services.
- C. Approval of this resolution will result in a charge being applied to Milwaukee County's 2014 deductible with the Milwaukee County Mutual Insurance Corporation in the amount of \$45,000

Department/Prepared By Corporation Counsel/Molly Zillig

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

Did CDBP Review?² Yes No Not Required

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

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

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: July 7, 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

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 October 16, 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, Wisconsin Supreme Court has accepted review)

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. *Orlowski v. Milwaukee County* (2007 death of inmate in HOC)

Case No. 13-C-994 (E.D. Wis. federal court)

12. *Madison Teachers Inc. v. Walker*
Dane County Circuit Court Case No. 11-CV-3774 (Act 10)(pending in Wisconsin Supreme Court)
13. *Jane Doe v. Milwaukee County (sexual assault by CO in jail)*
Case No. 14-CV-200 (E.D. Wis. federal court)
14. *AFSCME, DC48 v. Milwaukee County (laid off housekeepers)*
Case No. 14-C-340 (E.D. Wis. federal court)
15. *Physiogenix v. Milwaukee County, WE Energies et al (Research Park power)*
Case No. 14-CV-1780
16. *Milwaukee County v. Personnel Review Board (jurisdiction of PRB over discipline grievances)*
Case No. 14-CV-2536
17. *In the matter of a John Doe Proceeding (public records)*
Case No. 10-JD-000007
18. **Estate of Steven Cole v. Milwaukee County (patient death at BHD)**
Case No. 14-CV-740 (E.D. Wis. federal court)
19. **Tanya Weyker v. Quiles et al (MVA; false arrest and cover-up claims)**
Case No. 14-CV-782 (E.D. Wis. federal court)