

**MILWAUKEE COUNTY BOARD OF SUPERVISORS**

**Thursday, September 30, 2010**

**9:30 a.m.**

**Milwaukee County Courthouse, Room 200**

**PRESENTATION BY COUNTY EXECUTIVE  
OF RECOMMENDED 2011 COUNTY BUDGET**

**APPROVAL OF/CORRECTION TO JOURNAL OF PROCEEDINGS**

**County Board Meeting, July 29, 2010**

Located at the following website:

[http://www.county.milwaukee.gov/imageLibrary/Groups/cntyclerk/JOP\\_2010.pdf](http://www.county.milwaukee.gov/imageLibrary/Groups/cntyclerk/JOP_2010.pdf)

**UNFINISHED BUSINESS**

**File No. 10-263, Journal, July 29, 2010**

1. A Resolution by Supervisors Sanfelippo, Rice, Borkowski, Cesarz, Schmitt and Jursik, to amend Section 201.24 of the Milwaukee County Code of General Ordinances to reduce the annual pension service credit multiplier for elected officials from two percent to one and six-tenths percent for future years. **(Also to the Committee on Finance and Audit and the Pension Board.) (7/29/10 Referred to Corporation Counsel for opinion.) (Attached is response from Corporation Counsel.)**

**REPORTS OF COUNTY OFFICERS**

1. Matters returned unsigned by the County Executive from the County Board meeting on July 29, 2010. (5)

**File No. 10-134**

A resolution by Supervisors Dimitrijevic, Wieshan and Johnson, reaffirming the position of the County Board of Supervisor as reflected in the 2010 Adopted Budget regarding the proposal from the County Executive to contract for building security services. (7/29/10 Adopted 12-7)

**File No. 10-267**

A resolution directing Milwaukee County Transport Services, Inc. and the Milwaukee County Transit System (MCTS) to conduct a request for proposals process for video service on Milwaukee County Transit System buses. (7/29/10 Adopted 15-4)

**File No. 10-272**

A resolution authorizing and directing the Director of the Department of Parks, Recreation and Culture and the Director of Human Resources Division to provide a review of the Parks Department's forestry program. (7/29/10 Adopted 15-4)

**File No. 10-285**

A resolution/ordinance to create Chapter 32.93 of the General Ordinances of Milwaukee county to codify due diligence procedures and establish guidelines for the review of privatization initiatives. (7/29/10 Adopted 19-0)

**File No. 10-286**

A resolution directing that a grant in the amount of \$46,282.46 be provided to Career Youth Development, Inc., for services provided for the Victory Over Violence Grief Counseling and Survivor Center Initiative as adopted in the 2009 Milwaukee County Budget. (7/29/10 Adopted 19-0)

2. Veto actions by the County Executive from the County Board meeting on July 29, 2010. **None at the time this digest was posted to meet Wisconsin Open Meeting Law requirements.**

3. Confirmation of Appointments. (9)

**(10-296)**

From the County Executive, reappointing Supervisor Willie Johnson to the Commission for Persons with Disabilities for a term ending March 31, 2012.

**(10-297)**

From the County Executive, reappointing Mr. Don Richards to the Commission for Persons with Disabilities for a term ending March 31, 2012.

**(10-311)**

From the County Executive, reappointing Supervisor Willie Johnson to the Care Management Organization (CMO) Governing Board for a term ending August 31, 2013.

**(10-315)**

From the County Executive, reappointing Ms. Helen Dixon to the Personnel Review Board for a term ending October 31, 2015.

**(10-336)**

From the County Executive, reappointing Supervisor Paul Cesarz to the Care Management Organization (CMO) Governing Board for a term ending August 31, 2013.

**(10-337)**

From the County Executive, reappointing Supervisor Patricia Jursik to the Aging and Disability Resource Center (ADRC) Governing Board to fill a position in the category of "elected official" for a term expiring on April 30, 2013

**(10-344)**

From the County Board Chairman, reappointing Ms. Katherine "Murph" Burke to the Cultural, Artistic & Musical Programming Advisory Council, for a term expiring on September 30, 2013

**(10-345)**

From the County Board Chairman, appointing Ms. Sandra Scott to the Cultural, Artistic & Musical Programming Advisory Council, for a term expiring on September 30, 2013

**(10-346)**

From the County Board Chairman, appointing Mr. Cesar Stinson to the Cultural, Artistic & Musical Programming Advisory Council, for a term expiring on September 30, 2013

**PRESENTATION OF RESOLUTIONS/ORDINANCES BY  
COMMITTEES  
UNDER SUSPENSION OF THE RULES  
AND REPORTS OF STANDING COMMITTEES**

**FROM THE COMMITTEE ON PERSONNEL (4 Items)**

[Supervisors Borkowski, De Bruin, Schmitt, Rice, Larson, Sanfelippo, and Jursik (Chair)]

1. (File No. 10-280, Journal, July 29, 2010)  
A Resolution/Ordinance by Supervisor Holloway amending Chapter 17 of the Milwaukee County Code of General Ordinances to require all employees hired on or after August 1, 2010, in the unclassified service to establish and maintain residency within Milwaukee County.

**RECOMMENDATION: Adoption of a Resolution reaffirming the Committee's previous recommendation to approve the said Resolution/Ordinance amending Chapter 17 of the Milwaukee County Code of General Ordinances to require all employees hired on or after August 1, 2010, in the unclassified service to establish and maintain residency within Milwaukee County.**

**(COPIES DISTRIBUTED) (VOTE 6-1: NO - Rice)**

2. (File No. 10-294, Journal, September 30, 2010)  
From Acting Corporation Counsel, requesting authorization to terminate Milwaukee County's contract with Davis & Kuelthau S.C. and to negotiate and execute a not to exceed \$50,000 contract with Buelow, Vetter, Buikema, Olson, & Vleit LLC to advise and represent Milwaukee County in matters relating to mediation/arbitration with employee unions.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 7-0)**

3. (File No. 10-312, Journal, September 30, 2010)  
From the Interim Director, Department of Family Care, requesting authorization to double fill a position of Contract Manager (CMO), Pay Range 35M, for approximately 12 weeks in late 2010.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 7-0)**

4. (File No. 10-331, Journal, September 30, 2010)  
From the Interim Director, Human Resources, requesting authorization to extend the Temporary Assignment to a Higher Classification (TAHC) for Mr. James Martin for the position of IT Director.

**RECOMMENDATION: Adoption of an AMENDED resolution inserting the verbiage “, until December 17, 2010, or until a permanent Chief Information Officer is confirmed, whichever occurs first.” after “(CIO)” on Line 41. (COPIES DISTRIBUTED) (VOTE 6-0)**

**By the Committee on Finance and Audit (1 Item)**

[Supervisors Thomas, Mayo, Schmitt, Johnson, West, Jursik and Coggs (Chair)]

1. A resolution to **RECEIVE AND PLACE ON FILE** a report from the Association of Local Government Auditors, an external quality control review of the Milwaukee County Department of Audit, for the period of January 1, 2007, through June 30, 2010.

**(File No. 10-341) (Vote 7-0) (Copies Distributed)**

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**FROM THE COMMITTEE ON FINANCE AND AUDIT (24 Items; Items 18, 19 & 20 require two-thirds vote)** [Supervisors Thomas, Mayo, Schmitt, Johnson, West, Jursik and Coggs (Chair)]

2. [File No. 10-11(a)(c), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to Investment Reports from Treasurer.

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Milwaukee County Treasurer, titled "2010 Second Quarter Earnings on Investments Report", dated July 20, 2010. (VOTE 7-0) (COPIES DISTRIBUTED)**

3. [File No. 10-16(a)(g), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to DAS County-wide and Departmental financial reports.

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Milwaukee County Treasurer, titled "Notice of projected revenue surplus of \$450,000 in revenues (Account No. 1213) due to one-time collection", dated July 20, 2010. (VOTE 7-0) (COPIES DISTRIBUTED)**

4. [File 10-16 (a)(h), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to DAS County-wide and Departmental financial reports.

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Interim Director, Department of Health and Human Services, titled "Anticipated receipt of revenue in excess of the amount budgeted in the 2010 Adopted Budget", dated September 10, 2010. (VOTE 7-0) (COPIES DISTRIBUTED)**

5. [File 10-16 (a)(i), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to DAS County-wide and Departmental financial reports.

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Fiscal & Budget Administrator and Controller, titled "2010 Fiscal Report as of June 30, 2010-Updated", dated September 17, 2010. (VOTE 5-0) (COPIES DISTRIBUTED)**

6. [File 10-16 (a)(j), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to DAS County-wide and Departmental financial reports.

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Director, Department on Aging, titled "Revenues received that exceed 2010 budget estimates in excess of \$100,000", dated August 26, 2010. (VOTE 7-0) (COPIES DISTRIBUTED)**

7. [File No. 10-12(a)(i), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to reports from Departments regarding revenue deficits greater than \$75,000 [MCGO 56.02].

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Zoo Director, titled "2010 Revenue Deficit", dated August 20, 2010. (VOTE 7-0) (COPIES DISTRIBUTED)**

8. [File No. 10-12(a)(j), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to reports from Departments regarding revenue deficits greater than \$75,000 [MCGO 56.02].

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Medical Examiner, titled "2010 Revenue Deficit", dated September 2, 2010. (VOTE 7-0) (COPIES DISTRIBUTED)**

9. [File No. 10-12(a)(k), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to reports from Departments regarding revenue deficits greater than \$75,000 [MCGO 56.02].

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Interim Director, Department of Health & Human Services, titled "2010 State Medicaid Patient Revenue Deficit Report for the Behavioral Health Division", dated September 8, 2010. (VOTE 7-0) (COPIES DISTRIBUTED)**

10. [File No. 10-12(a)(l), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to reports from Departments regarding revenue deficits greater than \$75,000 [MCGO 56.02].

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Director, Department of Family Care titled "Update on the effects of multiple Care Management Organizations providing Family Care in Milwaukee County", dated September 7, 2010. (VOTE 5-0) (COPIES DISTRIBUTED)**

11. [File No. 10-39(a)(a), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to reports from Department on Family Care Quarterly reports on Income Statements of the Care Management Organization (CMO).

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report from the Director, Department of Family Care titled "MCDFC Income Statement for the period January 1, 2010, through June 30, 2010", dated September 7, 2010. (VOTE 6-0) (COPIES DISTRIBUTED)**

12. (File No. 10-290, Journal, September 30, 2010)  
From the Director of Audits, an Audit: [Savings from BHD Food Service Privatization Fall Short of Expectations but Remain Substantial](#), dated August 2010.

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE the said Audit. (COPIES DISTRIBUTED PREVIOUSLY) (VOTE 7-0)**

13. [File No. 10-284(a)(a), Journal, July 29, 2010]  
From the Interim Director, Department of Health and Human Services (DHHS), and the Fiscal and Budget Administrator, Department of Administrative Services (DAS), requesting the release of \$1,825,890 from the 2010 Behavioral Health Division (BHD) allocated contingency fund within capital funds to address issues related to the Statement of Deficiency (SOD). **(Also to the Committee on Health & Human Needs.) (07/22/10: Follow-up report due from the Department.)**

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE the said status report. (COPIES DISTRIBUTED) (VOTE 5-0)**

14. [File No. 09-84(a)(d), Journal, June 24, 2010]  
From the Director of Audits, a status report on the [Audit of MCTS's Fare & Data Collections Systems](#).

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND REPLACE ON FILE the said report, with a status report due March of 2011. (VOTE 7-0) (COPIES DISTRIBUTED)**

15. [File No. 09-69(a)(d), Journal, February 4, 2010]  
From Fiscal and Budget Administrator, a status report on the [Audit of Professional Service Contracting](#).

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND REPLACE ON FILE the said report, with a status report due March of 2011. (VOTE 7-0) (COPIES DISTRIBUTED)**

- 16. (File No. 10-310, Journal, September 30, 2010)  
From the Interim Chief Information Officer, IMSD, requesting authorization to enter into lease agreements with the City of Greenfield and AT&T to rent communications room and tower space to support the County’s 800 MHz Public Safety Communications.

**RECOMMENDATION: Adoption of a resolution approving the said request. (VOTE 7-0) (COPIES DISTRIBUTED)**

- 17. (File No. 10-325, Journal, September 30, 2010)  
From the Interim Chief Information Officer, IMSD, requesting authorization to amend a contract with The Joxel Group, LLC (TJG) for the completion of the planning and design phase of approved capital project WO444, Electronic Medical Records System.

**RECOMMENDATION: Adoption of a resolution approving the said request. (VOTE 7-0) (COPIES DISTRIBUTED)**

- 18. (File No. 10-324, Journal, September 30, 2010)  
From the Interim Director, Department of Health and Human Services, requesting authorization to abolish, upon vacancy, two FTE positions of Disabilities Services Specialist, and create five FTE positions of Disability Services Coordinator (one unfunded) and one FTE position of Program Manager-Children’s Services (unfunded). **(Also to the Committee on Personnel, Department of Administrative Services, and Division of Human Resources.)**

**RECOMMENDATION: Adoption of a resolution creating five FTE positions of Disability Services Coordinator (one unfunded) and one FTE position of Program Manager Children’s Services (unfunded) in the Department of Health and Human Services, effective September 24, 2010. (COPIES DISTRIBUTED) (VOTE 7-0)**

**REQUIRES TWO-THIRDS VOTE OF MEMBERS ELECT (13).**

*Note: Personnel Committee at its meeting on September 24, 2010, recommended approval of the following classifications and rate of pay as recommended by the Division of Human Resources-Vote: 7-0.*

4	Disabilities Services Coordinator	Pay Range 26M	\$49,218-\$56,530
1	Disabilities Services Coordinator	Pay Range 26M	unfunded
1	Program Manager Children’s Services	Pay Range 29M	unfunded

19. (File No. 10-308, Journal, September 30, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to abolish one position of Administrative Assistant III – Airport and create one position of Airport Operations Coordinator II in the Airport Operations Division. **(Also to the Committee on Personnel, Department of Administrative Services, and Division of Human Resources.)**

**RECOMMENDATION: Adoption of a resolution creating one position of Airport Operations Coordinator, in the Airport Operations Division. (COPIES DISTRIBUTED) (VOTE 7-0)**

**REQUIRES TWO-THIRDS VOTE OF MEMBERS ELECT (13).**

*Note: Personnel Committee at its meeting on September 24, 2010, recommended approval of the following classification and rate of pay as recommended by the Division of Human Resources-Vote: 7-0.*

**1 Airport Operations Coordinator 2 Pay Range 25 \$49,391-\$57,826**

20. [File No. 10-1(a)(r), Journal, December 17, 2009]  
Reference file established by the Chairperson relative to 2010 fund transfers.

**RECOMMENDATION: Adoption of a resolution relating to transfer of funds: DEPARTMENTAL-RECEIPT OF REVENUE "A" [A1, A2, A3, A4, A5, A6, A7 & A8]. (COPIES DISTRIBUTED) (VOTE 7-0)**

**REQUIRES TWO-THIRDS VOTE OF MEMBERS ELECT (13).**

21. [File No. 10-1(a)(s), Journal, December 17, 2009]  
Reference file established by the Chairperson relative to 2010 fund transfers.

**RECOMMENDATION: Adoption of a resolution relating to transfer of funds: CAPITAL IMPROVEMENTS "B" [B1, B2, B3, B4, B5 & B6]. (COPIES DISTRIBUTED) (VOTE 7-0)**

**REQUIRES MAJORITY VOTE OF MEMBERS ELECT (10).**

22. [File No. 10-1(a)(t), Journal, December 17, 2009]  
Reference file established by the Chairperson relative to 2010 fund transfers.

**RECOMMENDATION: Adoption of a resolution relating to transfer of funds: DEPARTMENT CAPITAL-OUTLAY "C" [C1]. (COPIES DISTRIBUTED) (VOTE 7-0)**

**REQUIRES MAJORITY VOTE OF MEMBERS ELECT (10).**

23. [File No. 10-1(a)(u), Journal, December 17, 2009]  
Reference file established by the Chairperson relative to 2010 fund transfers.

**RECOMMENDATION: Adoption of a resolution relating to transfer of funds: DEPARTMENTAL-OTHER CHARGES "D" [D1]. (COPIES DISTRIBUTED) (VOTE 7-0)**

**REQUIRES MAJORITY VOTE OF MEMBERS ELECT (10).**

24. (File No. 10-309, Journal, September 30, 2010)  
From the Controller, requesting relief from a waiver of Section 56.30(9), Milwaukee County Ordinances, by recommending payment of the invoices in the amount of \$10,000 submitted from Cambridge Advisory Group, prior to full and complete execution and signature of their professional services agreement.

**RECOMMENDATION: Adoption of a resolution approving the said request. (VOTE 7-0) (COPIES DISTRIBUTED)**

25. (File No. 10-335, Journal, September 30, 2010)  
From the Milwaukee County Task Force on Work Reform for Men, requesting Milwaukee County issue a one year consultant contract, not to exceed \$125,000, to Northcott Neighborhood House, commencing October 1, 2010, through September 30, 2011, to provide more focus on equitable employment opportunities in work reform, particularly fathers and other males of color.

**RECOMMENDATION: Adoption of a resolution approving the said request. (VOTE 7-0) (COPIES DISTRIBUTED)**

**BY THE COMMITTEE ON HEALTH AND HUMAN NEEDS (2 Items)**

[Supervisors Dimitrijevic, Coggs, Mayo, Rice, Lipscomb, Harris and West (Chair)]

1. A Resolution to **RECEIVE AND PLACE ON FILE** a report from the Director, Department on Aging, dated September 13, 2010, providing an overview of Aging's 2011 Requested Departmental Budget.  
**(Vote 6-0) (File No. 10-339) (COPIES DISTRIBUTED)**
  2. A Resolution to **RECEIVE AND PLACE ON FILE** a report from the Interim Director, Department of Health and Human Services, dated September 8, 2010, providing an update on the Disability Resource Center implementation and Family Care expansion.  
**(Vote 6-0) (File No. 10-340) (COPIES DISTRIBUTED)**
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**FROM THE COMMITTEE ON HEALTH AND HUMAN NEEDS (5 Items)**

[Supervisors Dimitrijevic, Coggs, Mayo, Rice, Lipscomb, Harris and West (Chair)]

3. [File No. 10-213(a)(a), Journal, May 27, 2010]  
An adopted Resolution by Supervisor West directing the Administrator of the Behavioral Health Division (BHD) to continue collaborative strategies with the District Attorney and the Sheriff to create, where possible, enhanced policies and procedures addressing the safety of patients within County BHD facilities.

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE a report dated September 1, 2010, from the Community Advisory Board for Mental Health regarding their initial activities and recommendations and a report from the President of the Wisconsin Federation of Nurses and Health Professionals entitled "Milwaukee County Behavioral Health Division Staffing Survey Results June 2010." (COPIES DISTRIBUTED) (VOTE 6-0)**

4. (File No. 10-323, Journal, September 30, 2010)  
From the Interim Director, Department of Family Care, requesting authorization to enter into a Professional Services Contract with Superior Support Resources, Inc. (SSR) for a period of three (3) years to (1) provide MIDAS hosting, support, and maintenance services and (2) for hardware upgrades that are required for the installation, formatting, and maintenance of the servers to support the MIDAS program for the Milwaukee County Department of Family Care.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

5. (File No. 10-318, Journal, September 30, 2010)  
From the Interim Director, Department of Health and Human Services, requesting authorization to contract with Community Advocates on behalf of the Continuum of Care.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

6. (File No. 10-320, Journal, September 30, 2010)  
From the Interim Director, Department of Health and Human Services, requesting authorization to enter into a 2011 Contract with the State of Wisconsin for operation of the Wisconsin Home Energy Assistance Program (WHEAP).

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

7. [File No. 10-35(a)(e), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to Purchase of Human Service Contracts for Management Services Division Programs.

**RECOMMENDATION: Adoption of a resolution authorizing the Interim Director, Department of Health and Human Services, to enter into Purchase of Service Contracts for the operation of the Management Services Division Wisconsin Home Energy Assistance Program (WHEAP). (COPIES DISTRIBUTED) (VOTE 6-0)**

**By the Committee on Judiciary, Safety and General Services (2 Items)**

[Supervisors De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)]

1. A resolution to **RECEIVE AND PLACE ON FILE** a report from the Interim Director, Information Management Services Division (IMSD), titled "Informational Report – 800 MHz Rebanding Project", dated August 24, 2010.  
**(Vote 7-0) (File No. 10-333) (COPIES DISTRIBUTED)**

2. A resolution to **REJECT AS NON-RESPONSIVE**, a report from the Office of the Sheriff, titled "Judiciary Committee's Questions Regarding Immigration Customs Enforcement (ICE)", dated September 1, 2010.

**(Vote 4-3: NOES-Cesarz, Sanfelippo and Johnson) (File No. 10-334)  
(COPIES DISTRIBUTED)**

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**FROM THE COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES (2 Items)**

[Supervisors De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)]

3. (File No. 10-313, Journal, September 30, 2010)  
From County Executive, appointing Jack Takerian, Director of the Department of Transportation and Public Works, to serve on the Milwaukee County Local Emergency Planning Committee as the County Public Works representative.

**RECOMMENDATION: Confirmation of the said appointment.  
(VOTE 6-0)**

4. (File No. 10-314, Journal, September 30, 2010)  
From the Office of the Sheriff, requesting authorization to apply for and accept state and federal homeland security funding that will be made available to Milwaukee County for specific projects.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 7-0)**

**FROM THE COMMITTEE ON PARKS, ENERGY AND ENVIRONMENT (6 Items)**

[Supervisors Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair)]

1. (File No. 10-75, Journal, February 4, 2010)  
A resolution by Supervisor Jursik, authorizing and directing the Director of the Department of Audits to perform a facilities and space needs audit of the Milwaukee County War Memorial Center. **(Also the Committee on Finance and Audit)**

**RECOMMENDATION: Adoption of an AMENDED resolution inserting “and parking” after the word “space” on line 26 and deleting the word “and” on line 31, after facilities, and inserting “and parking” after the word “space” on line 31. (COPIES DISTRIBUTED) (VOTE 6-0)**

***Note: The Committee on Finance and Audit, at its meeting on September 23, 2010, concurred with the above recommendation by a vote of 5-2: NOES-Mayo and Johnson.***

2. (File No. 10-321, Journal, September 30, 2010)  
From the Director, Zoo, requesting authorization to execute an agreement with Ropes Courses, Inc. for installation and operation of a CTS Zip Line, Sky Trail ropes course and climbing wall on Zoo grounds for a five-year period (2011 through 2015) with construction starting in fall of 2010.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

3. [File No. 03-249(a)(a), Journal, September 30, 2010]  
From the Director of Transportation and Public Works, requesting authorization to accept the terms of an agreement set between Waste Management of Wisconsin, Inc., and the affected municipalities related to the proposed expansion of the Metro Landfill in Franklin, Wisconsin. **(Also to the Committee on Finance and Audit)**

**RECOMMENDATION: Adoption of a SUBSTITUTE resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 5-0)**

***Note: The Committee on Finance and Audit, at its meeting on September 23, 2010, concurred with the above recommendation by a vote of 7-0.***

4. (File No. 10-316, Journal, September 30, 2010)  
From the Director, Department of Parks, Recreation and Culture (DPRC), requesting authorization to negotiate and execute a long-term land use and endowment agreement with ALP/VFW for the use of a southeastern portion of Hales Corners Park to construct, endow, maintain and operate a Veteran's Memorial.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 5-0)**

5. (File No. 10-317, Journal, September 30, 2010)  
From the Director, Department of Parks, Recreation and Culture (DPRC), requesting authorization to grant a permanent easement to the City of Wauwatosa to allow for the construction, operation and maintenance of storm sewer on park property within the Underwood Parkway, north of Bluemound Road.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 5-0)**

6. (File No. 10-329, Journal, September 30, 2010)  
From the Director, Department of Parks, Recreation and Culture (DPRC), requesting authorization for the transfer of jurisdiction of several parcels of county-owned land from the Sheriff's Office to the Department of Parks , Recreation and Culture.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 5-1: NO-Sanfelippo)**

**BY THE COMMITTEE ON TRANSPORTATION, PUBLIC WORKS AND TRANSIT (1 Item)**

[Supervisors Weishan, Borkowski, Cesarz, Dimitrijevic, Thomas, Harris, and Mayo (Chair)]

1. A resolution to **RECEIVE AND PLACE ON FILE**, an informational report from the Director of the Department of Transportation and Public Works, dated August 31, 2010, regarding the new elevated water tower located on the County Grounds.  
**(Vote 7-0) (File No. 10-332) (COPIES DISTRIBUTED)**

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**FROM THE COMMITTEE ON TRANSPORTATION, PUBLIC WORKS AND TRANSIT (13 Items)**

[Supervisors Weishan, Borkowski, Cesarz, Dimitrijevic, Thomas, Harris, and Mayo (Chair)]

2. [File No. 10-19(a)(a), Journal, December 19, 2009]  
Reference file established by the County Board Chairman, relative to Notices of Emergency Repairs/Purchases/Contracts.

**RECOMMENDATION: Adoption of a resolution to RECEIVE AND PLACE ON FILE, an informational report dated August 28, 2010, from the Director of the Department of Transportation and Public Works regarding the proposal of internal and external inspections of all County Buildings. (COPIES DISTRIBUTED) (VOTE 5-0)**

***Note: The Committee on Finance and Audit, at its meeting on September 23, 2010, concurred with the above recommendation by a vote of 7-0.***

3. (File No. 10-248, Journal, July 29, 2010)  
An Amended Substitute Resolution by Supervisors Larson, Jursik, and Dimitrijevic, supporting Milwaukee's Gateway Aerotropolis collaborative planning efforts.

**RECOMMENDATION: Adoption of an AMENDED Substitute Resolution inserting the following language on Line 25 after "Witkowski": ", City of Cudahy Mayor Tony Day, City of Franklin Mayor Tom Taylor, Village of Greendale Mayor John R. Hermes, City of Greenfield Mayor Michael J. Neitzke, City of Milwaukee Mayor Tom Barrett, City of Oak Creek Mayor Dick Bolender, City of Saint Francis Mayor Al Richards, and City of South Milwaukee Mayor Tom Zepecki." (COPIES DISTRIBUTED) (VOTE 4-2: NOES-Weishan and Mayo)**

4. (File No. 10-299, Journal, September 30, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to enter into a new Master Lease Agreement with the airlines serving General Mitchell International Airport (GMIA) effective October 1, 2010, through December 31, 2015.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

5. [File No. 09-402(a)(b), Journal, September 30, 2010]  
From the Director, Department of Transportation and Public Works, requesting authorization to amend agreements with United Parcel Service Co. and Federal Express, Inc. to allow air cargo carriers to participate in the Majority in Interest (MII) clauses defined in the proposed airline/airport use and lease agreements.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

6. (File No. 10-300, Journal, September 30, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to amend Chapter 4 of the Milwaukee County Code of General Ordinances to make it consistent with the new airline/airport use and lease agreement with the airlines serving General Mitchell International Airport (GMIA).

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

7. (File No. 10-301, Journal, September 30, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to amend the agreement between Milwaukee County and signatory airlines by incorporating language to permit affiliate airlines of the signatory airlines the use of the hydrant fuel system at General Mitchell International Airport (GMIA).

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

8. (File No. 10-302, Journal, September 30, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to enter into an agreement with Chris Bales for the lease of land on which a hangar is located at General Mitchell International Airport (GMIA) for a five-year term effective October 1, 2010, with one additional five-year renewal option.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

9. (File No. 10-303, Journal, September 30, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to submit a new Passenger Facility Charge (PFC) No. 16 application to the Federal Aviation Administration (FAA).

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 5-1: NO-Borkowski)**

10. (File No. 10-304, Journal, September 30, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to amend the Professional Services Agreement with Kutak Rock, LLP, increasing the contract from 19,500 to \$39,500.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

11. [File No. 09-229(a)(a), Journal, September 30, 2010]  
From the Director, Department of Transportation and Public Works, requesting authorization to sell the countywide shuttle agreement and the assignment of the agreement from Airport Connection of Wisconsin, Inc., d/b/a Go Airport Connection, to Riteway Bus Service, Inc., at General Mitchell International Airport (GMIA)

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

12. (File No. 09-403, Journal, February 4, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to effectuate leasehold changes to integrate the areas leased under Midwest Airlines, Inc.'s agreements to those of Frontier Airlines, Inc.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-0)**

13. (File No. 10-305, Journal, September 30, 2010)  
From the Director, Department of Transportation and Public Works, requesting authorization to enter into a maintenance agreement with the Wisconsin Department of Transportation (WisDOT) to provide enhanced landscaping of State Highway 119 – the Airport Spur.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 5-0)**

14. (File No. 10-306, Journal, September 30, 2010)  
From the Director, Community Business Development Partners, requesting authorization to submit the annual Disadvantaged Business Enterprise (DBE) goals for the United States Department of Transportation (USDOT) Assisted Projects to the Federal Aviation Administration (FAA) for anticipated contracts for Federal Fiscal Year (FFY) 2011-2013. **(Also to the Committee on Economic and Community Development.)**

**RECOMMENDATION: Adoption of a resolution/ordinance approving the said request. (COPIES DISTRIBUTED) (VOTE 5-0)**

***Note: The Committee on Economic and Community Development, at its meeting of September 20, 2010, concurred with the above recommendation by a vote of 7-0.***

**FROM THE COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT (5 Items)**

[Supervisors De Bruin, Johnson, Weishan, West, Thomas, Harris and Lipscomb (Vice-Chair)]

1. (File No. 10-292, Journal, September 30, 2010)  
From the County Executive, appointing Mr. Damon Dorsey to the position of Director of Economic Development.

**RECOMMENDATION: Confirmation of the said appointment.  
(VOTE 7-0)**

2. (File No. 10-319, Journal, September 30, 2010)  
From the Interim Director, Department of Health and Human Services, requesting authorization to enter into a subordination agreement to subordinate the County Home Repair lien on 1262 N. 68th Street, Wauwatosa to a refinanced first mortgage.

**RECOMMENDATION: Adoption of a resolution approving the said request. (COPIES DISTRIBUTED) (VOTE 6-1: No-West)**

3. [File No. 10-14(a)(h), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to Sales of Surplus Lands.

**RECOMMENDATION: Adoption of a resolution authorizing the Real Estate Manager to sign the offer to purchase from James L. Rogge in the amount of \$55,500 as the primary offer and the offer from Chase Properties & Investments in the amount of \$51,000 as a secondary offer for the County-owned single-family house located at 6614 Vista Drive, Wauwatosa, Wisconsin; and authorizing the County Clerk and County Executive to convey by Warranty Deed the said property to James L. Rogge and/or assigns for the consideration of \$55,000 pursuant to terms and conditions of his offer to purchase; and in the event that James L. Rogge does not fulfill the terms and conditions of his offer to purchase, then the County Executive and the County Clerk are authorized to convey by Warranty Deed the said property to Chase Properties & Investments, LLC and/or assigns for the consideration of \$51,000 pursuant to the terms and conditions of their offer to purchase. (COPIES DISTRIBUTED) (VOTE 7-0)**

4. [File No. 10-14(a)(i), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to Sales of Surplus Lands.

**RECOMMENDATION: Adoption of resolution authorizing the Manager of Real Estate Services to extend the Contingency Waiver date in the Purchase Agreement with UWM from September 30, 2010, until November 15, 2010. (COPIES DISTRIBUTED) (VOTE 7-0)**

5. [File No. 10-30(a)(d), Journal, December 17, 2009]  
Reference file established by the County Board Chairman, relative to Sales of Park East Lands.

**RECOMMENDATION: Adoption of resolution authorizing the Manager of Real Estate Services to execute, after Corporation Counsel approval, the Fourth Amendment to the Development Agreement, as described in the resolution, for Block 26 (aka Block One) in the Park East Corridor, located between North Jefferson, North Milwaukee and East Lyon Streets and East Ogden Avenue in the City of Milwaukee, east of the Milwaukee River. (COPIES DISTRIBUTED) (VOTE 7-0)**

**TRANSIT CLAIMS**

**CITATIONS**

**RESOLUTIONS AND/OR ORDINANCES FOR INTRODUCTION  
AND ADOPTION UNDER SUSPENSION OF THE RULES  
(or other similar motions)**

**NONE**

**ADJOURNMENT**

**MONDAY, NOVEMBER 1, 2010 at 7:00 P.M.  
WASHINGTON PARK SENIOR CENTER (MAIN HALL)**



OFFICE OF CORPORATION COUNSEL

*Milwaukee County*

Unfinished Item

TIMOTHY R. SCHOEWE  
Acting Corporation Counsel

ROBERT E. ANDREWS  
Deputy Corporation Counsel

JOHN F. JORGENSEN  
MARK A. GRADY  
JOHN E. SCHAPEKAHM  
TIMOTHY R. KARASKIEWICZ  
JEANEEN J. DEHRING  
ROY L. WILLIAMS  
COLLEEN A. FOLEY  
LEE R. JONES  
MOLLY J. ZILLIG  
Principal Assistant  
Corporation Counsel

**DATE:** August 12, 2010  
**TO:** Mr. Lee Holloway, Chairman  
Milwaukee County Board of Supervisors  
**FROM:** Timothy R. Schoewe, Acting Corporation Counsel  
**SUBJECT:** File No. 10-263

You referred this file to our office for a written opinion regarding the Pension Board's vote to offer no formal comment regarding the proposed ordinance amendments. The precise legal question being raised is not clear, but we provide the following observations.

The County Board amended the pension plan, §201.24(8.17), M.C.G.O., in 2004. The relevant ordinance language provides:

The pension board shall be given no less than thirty (30) days to comment in writing to the county executive and the county board upon the fiscal impact of proposed benefit changes referred from the county board. The pension board may request of the county board an extension of time to comment. In making its referral, the county board shall make full disclosure to the pension board of all actuarial information utilized in the proposed benefit changes.

With respect to File No. 10-263, the Pension Board considered the proposed amendments at its meeting on July 21, 2010. When previously proposed, the Pension Board had considered these same amendments at its meeting of March 17, 2010. The Pension Board provided the attached response to the County Board. This response is identical to its response in March.

The only requirement in the ordinance is that the Pension Board be given at least thirty (30) days for the opportunity to comment on any proposed benefit changes. The Pension Board was given that opportunity to comment. It provided a response and expressly waived any additional time for comment.

In our opinion, the procedural requirement contained in §201.24(8.17), M.C.G.O., has been satisfied.

MG/TRS/rf

cc: Steve Cady, Fiscal and Budget Analyst



EMPLOYEES' RETIREMENT SYSTEM (ERS)

*Milwaukee County*

PENSION BOARD

John M. Maier, J.D.  
Chairman

Linda S. Bedford  
Vice Chairperson

Donald Cohen  
Keith Gerland

Jeffrey J. Mawicke  
Maryn B. Mayr  
Dr. Sarah W. Peck  
David Sikorski  
Guy M. Stuffer

Gerald J. Schroeder  
ERS Manager

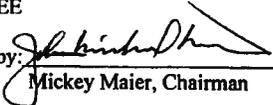
CERTIFICATE

The Pension Board of the Employees' Retirement System of the County of Milwaukee ("Pension Board"), certifies that at its regular monthly meeting held on July 21, 2010, it adopted the following resolution:

The Pension Board offers no formal comment regarding the proposed Ordinance amendments to sections 204.24(5.1) and 201.24(5.15) of the Milwaukee County Code of General Ordinances and waives the balance of its 30 day comment period provided for under section 201.24(8.17) of the Milwaukee County Code of General Ordinances. The Pension Board believes that it is in the best interest of ERS for the County Board to adopt Ordinance amendments, which preserve assets of ERS and clarify the intended operation of the Ordinances.

Dated: July 21, 2010.

PENSION BOARD OF THE  
EMPLOYEES' RETIREMENT  
SYSTEM OF THE COUNTY OF  
MILWAUKEE

As certified by:   
Mickey Maier, Chairman

8/10  
Mark-  
See Tim.  
JB

---

**MILWAUKEE COUNTY  
INTER-OFFICE MEMORANDUM**

---

**DATE:** July 29, 2010  
**TO:** Tim Schoewe, Acting Corporation Counsel  
**FROM:** Carol Mueller, Chief Committee Clerk  
**SUBJECT:** Request for written opinion on pension service credit multiplier resolution/ordinance

---

The County Board at its meeting on 07/29/2010, considered File 10-263 (attached).

Thereafter, Supervisor Weishan requested a written opinion regarding the Pension Board's vote to offer no formal comment regarding the proposed ordinance amendments. In his opinion this defeats the process of checks and balances.

This memorandum is to serve as a referral to all parties concerned.

***Note: If you have previously complied with this request, please disregard.***

**Carol Mueller**

Chief Committee Clerk

cc: Chairman of the County Board Lee Holloway  
Supervisor John Weishan  
Steve Cady, Fiscal and Budget Analyst



EMPLOYEES' RETIREMENT SYSTEM (ERS)

*Milwaukee County*

COPY

CERTIFICATE

PENSION BOARD

John M. Maier, J.D.  
Chairman

Linda S. Bedford  
Vice Chairperson

Donald Cohen  
Keith Garland  
Jeffrey J. Mawicke  
Marilyn B. Mayr  
Dr. Sarah W. Peck  
David Sikorski  
Guy M. Stuller

Gerald J. Schroeder  
ERS Manager

The Pension Board of the Employees' Retirement System of the County of Milwaukee ("Pension Board"), certifies that at its regular monthly meeting held on July 21, 2010, it adopted the following resolution:

The Pension Board offers no formal comment regarding the proposed Ordinance amendments to sections 204.24(5.1) and 201.24(5.15) of the Milwaukee County Code of General Ordinances and waives the balance of its 30 day comment period provided for under section 201.24(8.17) of the Milwaukee County Code of General Ordinances. The Pension Board believes that it is in the best interest of ERS for the County Board to adopt Ordinance amendments, which preserve assets of ERS and clarify the intended operation of the Ordinances.

Dated: July 21, 2010.

PENSION BOARD OF THE  
EMPLOYEES' RETIREMENT  
SYSTEM OF THE COUNTY OF  
MILWAUKEE

As certified by:

  
Mickey Maier, Chairman



46 the taxpayer if a separate portable and contributory 401K-style pension plan was designed  
47 solely for the participation of future Milwaukee County elected officials; and

48

49 WHEREAS, the attached changes to Section 201.24 of the Milwaukee County Code  
50 of General Ordinances (MCGO) extend the reduction of the pension multiplier from 2.0  
51 percent to 1.6 percent to Milwaukee County elected officials covered by the ERS for all  
52 future earned pension service credit; and

53

54 WHEREAS, the proposed changes to Section 201.24 of the MCGO have been  
55 referred to the pension fund actuary whose actuarial analysis indicates the changes will  
56 decrease the accrued liability and the normal actuarial cost; and

57

58 WHEREAS, the Committee on Personnel, at its meeting of March 9, 2010,  
59 recommended approval of the resolution/ordinance as AMENDED (vote 6-0); and

60

61 WHEREAS, the Pension Study Commission reviewed the pension fund actuary's  
62 report on March 11, 2010, and has recommended the County Board adopt the proposed  
63 changes to Section 201.24 of the MCGO (vote 3-1); and

64

65 WHEREAS, the Committee on Finance and Audit, at its meeting of March 11, 2010,  
66 by virtue of a tie vote, made no recommendation to the full Board on adoption of the  
67 aforesaid matter (vote 3-3); now, therefore,

68

69 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby amends  
70 Section 201.24 of the Milwaukee County Code of General Ordinances by adopting the  
71 following,

72

73

### AN ORDINANCE

74

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

77

78 **SECTION 1.** Section 201.24 (5.1)(4) of the General Ordinances of Milwaukee County, is  
79 amended as follows:

80

#### 5.1. Normal pension.

81

82  
83 (4) A member who is an elected official whose continuous membership began prior to  
84 January 1, 1982, and who meets the requirements for a normal pension, shall  
85 receive an amount equal to two and one-half (2 1/2) percent of his final average  
86 salary multiplied by the number of his years of service as an elected official. A  
87 member who is an elected official whose continuous membership began after  
88 January 1, 1982, and who meets the requirements for a normal pension, shall  
89 receive an amount equal to two (2) percent of his final average salary multiplied by  
90 the number of his years of service as an elected official. Regardless of when

91 membership began, an elected official shall receive an amount equal to one and six-  
92 tenths (1.6) percent of his final average salary multiplied by the number of his years  
93 of service rendered on and after [date of passage and publication] as an elected  
94 official.

95  
96 **SECTION 2.** Section 201.24 (5.15) of the General Ordinances of Milwaukee County, is  
97 amended as follows:

98  
99 **5.15. Recruitment and retention incentive effective January 1, 2001.**

100  
101 The provisions of this section shall apply to all members of the employees' retirement  
102 system eligible to accrue pension service credit as of January 1, 2001, who are not  
103 represented by a collective bargaining unit and file an application for retirement after  
104 January 1, 2001. This section shall supercede any provisions of Section 5.1 that may  
105 conflict with this section. The provisions of this section shall not apply to any member of  
106 the employees' retirement system who filed an application for retirement prior to January 1,  
107 2001, which shall be effective on or after January 1, 2001. The provisions of this section  
108 shall not apply to members of the employees' retirement system who, as of January 1,  
109 2001, are either eligible for a deferred vested retirement benefit under Section 4.5 or are  
110 receiving a retirement benefit, unless such members return to a status eligible to accrue  
111 additional service credit on or after January 1, 2001. The provisions of this section shall  
112 not apply to years of service earned on or after January 1, 2010, by a member who, at the  
113 time the service is earned, is not covered by the terms of a collective bargaining agreement,  
114 nor shall this section apply to service credit earned on or after [date of passage and  
115 publication] by a member and who, at the time service is earned, is not an elected official.  
116

117 (1) If membership in the employees' retirement system initially began on or after January 1,  
118 1982, the following recruitment and retention incentives shall apply:

119  
120 (a) Except for a non-represented deputy sheriff whose membership began prior to  
121 July 1, 1995, and elected officials whose membership began on or after March 15,  
122 2002, all pension service credit earned on and after January 1, 2001, shall be  
123 credited in an amount equal to an additional 0.5 percent of the member's final  
124 average salary. For each year of service credit earned after January 1, 2001, eight  
125 years of service credit earned prior to January 1, 2001, shall be credited at an  
126 additional 0.5 percent of the member's final average salary. The additional service  
127 credits under this Section 5.15(1)(a) shall not apply to any elected official whose  
128 membership began prior to March 15, 2002, if such elected official consents  
129 irrevocably in writing filed with the system to waive the right to receive such  
130 additional pension service credits.

131  
132 (b) An employee shall not be eligible for a deferred vested pension if his/her  
133 employment is terminated prior to his/her completion of five (5) years of service.

134  
135 (2) Retention incentive bonus. If initial membership in the employees' retirement system

136 began prior to January 1, 1982, or July 1, 1995, for a non-represented Deputy Sheriff at  
137 the time of retirement, the member shall have their final average salary increased by a  
138 bonus of 7.5 percent for each year of pension service credit earned after January 1,  
139 2001. The maximum bonus that shall be added to an eligible member's final average  
140 salary shall not be more than twenty-five (25) percent. This provision shall not apply to a  
141 member of the employees' retirement system who became a member of the system  
142 prior to January 1, 1982, and, as of January 1, 2001, is either eligible for a deferred  
143 vested benefit under 201.24 (4.5), or is receiving a pension benefit, unless such member  
144 returns to a status whereby the member is eligible to earn additional pension service  
145 credit on or after January 1, 2001. The retention incentive bonus under this Section  
146 5.15(2) shall not apply to any elected official who is otherwise eligible to receive such  
147 bonus if such elected official consents irrevocably in writing filed with the system to  
148 waive the right to receive such retention incentive bonus.  
149

150 (3) Members who hold positions for which membership in the employees' retirement  
151 system is optional and opt for such membership, shall have pension service credit  
152 earned after January 1, 2001, credited at two (2) percent. However, such service credit  
153 shall not result in a multiplier increase for service credit earned prior to January 1,  
154 2001, nor shall such service credit qualify the member for a retention incentive bonus.  
155

156 The provisions of this section shall not apply to a member of the employees' retirement  
157 system who is either eligible for a deferred vested benefit under 201.24 (4.5), or is  
158 receiving a pension benefit as of January 1, 2001, unless such member returns to active  
159 County employment and is eligible to earn additional pension service credit under 201.24.  
160

161 **SECTION 3.** The provisions of this ordinance shall be effective upon passage and  
162 publication  
163

164 ; and  
165

166 BE IT FURTHER RESOLVED, in the event collective bargaining agreements or  
167 arbitration decisions covering a majority of represented County employees include pension  
168 modifications that are not in agreement with the terms and provisions of Sections 1 and 2  
169 above, revisions to these ordinances shall be drafted within 90 days to match those settled  
170 or arbitrated pension modifications, subject to approval of the County Board; and  
171

172 BE IT FURTHER RESOLVED, that the Employee Benefits Work Group is authorized  
173 and directed to review any and all issues related to developing a contributory pension  
174 benefit exclusively for future Milwaukee County elected officials, not to exceed the  
175 pension benefit available to non-represented employees, that features characteristics similar  
176 to those of 401K- style plans including, at a minimum, participant contributions, employer  
177 matching contributions, and account portability; and  
178

179 BE IT FURTHER RESOLVED, that the Employee Benefits Work Group shall report its  
180 findings, including estimated implementation costs and projected pension savings, to the

181 Personnel and Finance and Audit Committees as soon as possible, but no later than  
182 October 2010 meeting cycle.

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## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** June 28, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** A resolution amending Section 201.24 of the Milwaukee County Code of General Ordinances to reduce the annual pension service credit multiplier from 2.0% to 1.6% for future years for elected officials.

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input checked="" type="checkbox"/> Decrease Operating Expenditures<br><input type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><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
<b>Operating Budget</b>	Expenditure	-25,417	-25,417
	Revenue	0	0
	Net Cost	-25,417	-25,417
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

**DESCRIPTION OF FISCAL EFFECT**

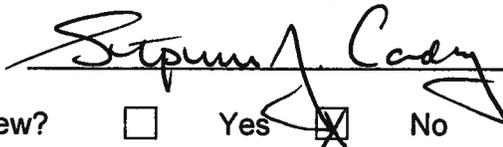
**In the space below, you must provide the following information. Attach additional pages if necessary.**

- 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. <sup>1</sup> 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.

Per the March 3, 2010 report of the actuary, attached to and made a part of this file, reducing the pension service credit multiplier for elected officials from 2.0% to 1.6% was estimated to have the effect of decreasing the annual pension contribution from \$30.36 million to \$30.33 million (the specific reduction was calculated at \$25,417 which was rounded to \$30,000 in the tables accompanying the report). Future annual pension contributions would be reduced by a similar amount.

Department/Prepared By County Board / Ceschin

Authorized Signature

  
\_\_\_\_\_

Did DAS-Fiscal Staff Review?        Yes        No

CHAIRMAN  
COUNTY BOARD

2010 JUN 29 PM 3:40

RECEIVED

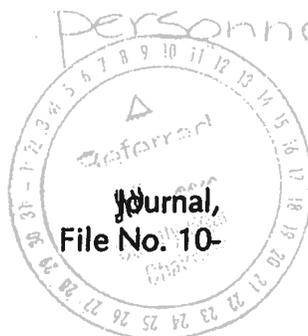
<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

1 Supervisor Patricia Jursik, Chairperson,  
2 From the Committee on Personnel, reporting on:

3  
4  
5 File No. 10-280  
6 (Journal, July 29, 2010)

7 (ITEM NO. 1) Report referred back, July 29, 2010, to the Committee on Personnel,  
8 recommending adoption of a Resolution/Ordinance amending Chapter 17 of the  
9 Milwaukee County Code of General Ordinances to require all employees hired on or after  
10 August 1, 2010, in the unclassified service to establish and maintain residency within  
11 Milwaukee County, by **REAFFIRMING** the Committee's previous recommendation to  
12 approve the said Resolution/Ordinance at its meeting of September 24, 2010 (vote 6-1),  
13 which was originally approved at the Committee on Personnel's meeting of July 16, 2010  
14 (vote 5-1), as appearing in the Journal of Proceedings of July 29, 2010.

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1 By Chairman Holloway  
2

FILE NO. 10-280

**A RESOLUTION / ORDINANCE**

IL 29 20<sup>3</sup>10  
Bar March  
ferred to  
smel  
motion  
9-0

Amending Chapter 17 of the Milwaukee County Code of General Ordinances to require all employees hired on or after October 1, 2010 in the unclassified service to establish and maintain residency within Milwaukee County.

WHEREAS, under State law, Milwaukee County employees in the classified service are subject to the Civil Service Rules of Milwaukee County as established by the Civil Service Commission; and

WHEREAS, Milwaukee County Civil Service Rules and Procedures, Rule II, Section 2 requires "domicile and principal place of residence within the geographic limits of Milwaukee County" during employment, except for positions in classifications which the civil service commission determines "essential to effective functioning of county operations and which, on the basis of classification, vacancy, experience and difficulty in recruitment cannot be filled with qualified personnel without waiving the restriction"; and

WHEREAS, in July 2002, the County Board adopted a policy requiring members of the County Executive's personal staff, County Board staff, and positions in the County Executive's cabinet (as defined in Wis. Stats. 59.17(2)(bm)) to reside in Milwaukee County within six months of appointment and/or confirmation, and maintain such residency during employment with the county (Res. File No. 02-394); and

WHEREAS, because the rules of the Civil Service Commission only apply to positions in the classified service (as defined in Wis. Stats. Chapter 63), employees in the unclassified service (other than the positions specified in File No. 02-394) are not required to be a resident of the county; and

WHEREAS, Wis. Stats. 63.03(2) and 63.03(3)(b) specify a list of positions that must be in the unclassified service, including elected officials, administrative secretaries, board and commission members, and any position of "department head, deputy department head, associate department head or immediate assistant department head" in pay range 30 or above

WHEREAS, although it may be necessary periodically for the recruitment of certain limited positions, in general, permitting County employees to reside outside the County limits:

- Denies an employment opportunity for a County resident
- Removes that wage base from the Milwaukee County economy

35  
36



**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** July 6, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT: A RESOLUTION / ORDINANCE**

Amending Chapter 17 of the Milwaukee County Code of General Ordinances to require all employees hired on or after August 1, 2010 in the unclassified service to establish and maintain residency within Milwaukee County.

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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. <sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Adoption of this resolution / ordinance will create a residency requirement for Milwaukee County employees in the unclassified service. No fiscal impact on the 2010 Adopted Operating Budget is anticipated.

Department/Prepared By County Board / Ceschin

Authorized Signature

Rick Cohen

Did DAS-Fiscal Staff Review?  Yes  No

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

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4 (ITEM NO. 2) From Acting Corporation Counsel, requesting authorization to terminate  
5 Milwaukee County's contract with Davis & Kuelthau S.C. and to negotiate and execute a  
6 not to exceed \$50,000 contract with Buelow, Vetter, Buikema, Olson, & Vleit LLC to  
7 advise and represent Milwaukee County in matters relating to mediation/arbitration with  
8 employee unions, by recommending adoption of the following:  
9

10 **A RESOLUTION**

11  
12 WHEREAS, Milwaukee County has required and will continue to require the  
13 assistance of private counsel with specialized knowledge and experience in the area of  
14 labor and employment law to advise and represent Milwaukee County in matters relating  
15 to mediation/arbitration involving Milwaukee County and Milwaukee County employee  
16 unions; and  
17

18 WHEREAS, pursuant to resolutions adopted under County Board Files 05-144 and  
19 05-518, Milwaukee County contracted with Davis & Kuelthau S.C. for that purpose and has  
20 benefited from the services of Attorney Mark Vetter, formerly a member of that firm; and  
21

22 WHEREAS, in January 2010, several attorneys from Davis & Kuelthau S.C., including  
23 Attorney Mark Vetter, left that firm and formed Buelow Vetter Buikema Olson & Vliet LLC;  
24 and  
25

26 WHEREAS it would be advantageous to Milwaukee County to retain the services of  
27 Attorney Mark Vetter to provide advice and representation in matters relating to  
28 mediation/arbitration with Milwaukee County employee unions because of his extensive  
29 background and experience in those matters; and  
30

31 WHEREAS there are sufficient funds in the litigation reserve account to pay for the  
32 legal services described in this resolution; and  
33

34 WHEREAS, the Committee on Personnel, at its meeting of September 24, 2010,  
35 recommended approval of the Acting Corporation Counsel's request (vote 7-0); now,  
36 therefore,  
37

38 BE IT RESOLVED, that the Acting Corporation Counsel is authorized and directed to  
39 terminate Milwaukee County's contract with Davis & Kuelthau S.C. and to negotiate and  
40 execute a contract with Buelow Vetter Buikema Olson & Vliet LLC to advise and represent  
41 Milwaukee County in matters relating to mediation/arbitration with Milwaukee County  
42 employee unions, subject to the following conditions:  
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- 44
- Payments under the contract shall not exceed \$50,000.

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- The contract shall provide for payment for the services of Attorney Mark Vetter at an hourly rate not to exceed \$250.00

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** May 13, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** A resolution to authorize the Corporation Counsel to negotiate and enter into a contract with Buelow Vetter Buikema Olson & Vliet LLC to represent Milwaukee County in matters relating to mediation/arbitration involving Milwaukee County and Milwaukee County employee union, for an amount not to exceed \$50,000.

**FISCAL EFFECT:**

- |  |  |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input checked="" type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input checked="" type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><br><input type="checkbox"/> Decrease Operating Expenditures<br><br><input type="checkbox"/> Increase Operating Revenues<br><br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><br><input type="checkbox"/> Decrease Capital Expenditures<br><br><input type="checkbox"/> Increase Capital Revenues<br><br><input type="checkbox"/> Decrease Capital Revenues<br><br><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
<b>Operating Budget</b>	Expenditure	(not to exceed) \$50,000	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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.<sup>1</sup> 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.

If adopted, this resolution would authorize the Corporation Counsel to negotiate and enter into a contract with Buelow Vetter Buikema Olson & Vliet LLC to represent Milwaukee County in matters relating to mediation/arbitration involving Milwaukee County and Milwaukee County employee unions. Fees paid to Buelow Vetter Buikema Olson & Vliet LLC under that contract shall not exceed \$50,000. Funds to pay those fees are available in the litigation reserve account maintained by the Department of Administrative Services for use by the Corporation Counsel.

Department/Prepared By Corporation Counsel/John Jorgensen

Authorized Signature \_\_\_\_\_

Did DAS-Fiscal Staff Review?  Yes  No

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

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4 (ITEM NO. 3) From the Interim Director, Department of Family Care, requesting  
5 authorization to double fill a position of Contract Manager (CMO), Pay Range 35M, for  
6 approximately 12 weeks in late 2010, by recommending adoption of the following:  
7

8 **A RESOLUTION**  
9

10 WHEREAS, the Department of Family Care (DFC) has requested permission,  
11 pursuant to Section 17.14(1) of the Milwaukee County Code of General Ordinances, to  
12 double fill the position of Contract Manager (CMO), Position No. 00012268000001, PR  
13 35M, in Org. Unit 7991 for approximately 12 weeks in late 2010; and  
14

15 WHEREAS, James Hennen, the current Contract Manager (CMO) plans to retire by  
16 the end of 2010; and  
17

18 WHEREAS, DFC currently maintains contracts with approximately 970 service  
19 providers, and the provider network continues to expand to meet the needs of the clients  
20 and is anticipated to increase an additional 10% within the next 3 to 6 months; and  
21

22 WHEREAS, the Contract Manager position is critical to the overall success of the  
23 DFC Program as it manages DFC's vast provider network and is responsible for monitoring  
24 the provider network and contracts; ensure sufficient network capacity; certify new  
25 provider applicants; collaborate with the Wisconsin Department of Health Services (DHS)  
26 in regard to contract changes to the DFC contract with DHS; oversee provider training, rate  
27 negotiation, and contract compliance; and  
28

29 WHEREAS, DFC is currently in the middle of Family Care expansion, and a void in  
30 leadership within the contract administration area will lead to work backlog and possible  
31 noncompliance with the complex regulations surrounding contract administration, and this  
32 request would ensure this does not occur and continuity of our operations is not disrupted;  
33 and  
34

35 WHEREAS, Hennen must train his replacement prior to his retirement to ensure  
36 continuity of our operations as we continue expansion to serve the disabled population;  
37 and  
38

39 WHEREAS, DFC will absorb the cost within its existing personnel budget with the  
40 estimated cost of \$16,884 to double fill the Contract Manager position for approximately  
41 12 weeks in late 2010; and  
42

43 WHEREAS, the Committee on Personnel, at its meeting of September 24, 2010,  
44 recommended approval of the Director of the Department on Family Care's request  
45 (vote 7-0); now, therefore,

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BE IT RESOLVED, that the Department of Family Care is hereby authorized, pursuant to Section 17.14(1) of the Milwaukee County Code of General Ordinances to double fill the position of Contract Manager Care Management Organization (CMO), Position No. 00012268000001, PR 35M in Org. Unit 7991 for approximately 12 weeks in late 2010.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** 8/27/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Double Filling a Position of Contract Manager in Department of Family Care

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	16,884	
	Revenue		
	Net Cost	16,884	
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

## DESCRIPTION OF FISCAL EFFECT

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

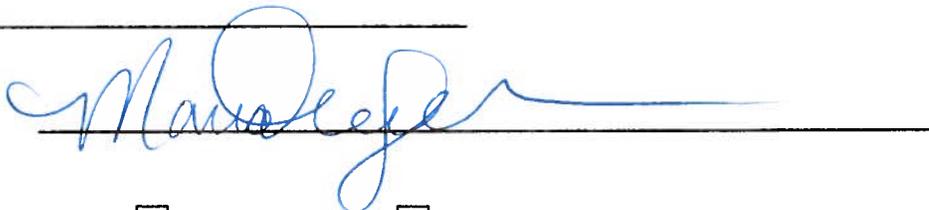
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. <sup>1</sup> 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 Department of Family Care's (DFC) Contract Manager is retiring in December 2010. To ensure continuity of its operations the DFC Interim Director requests to double fill this position for approximately 12 weeks in 2010. The position is critical to the overall success of the program as it manages a provider network with approximately 970 service providers. This position is responsible to monitor the provider network and contracts, ensure sufficient network capacity, certify new provider applicants, collaborate with the Wisconsin Department of Health Services (DHS) in regard to contract changes to the DFC contract with DHS, oversee provider training, rate negotiation and provider contract compliance. In addition, as the DFC continues through expansion to serve the wait list the provider network will be expanded during the 4<sup>th</sup> quarter.

Double filling the position for approximately 12 weeks will cost an estimated \$16,884 (\$15,684 Salary and \$1,200 Social Security), assuming the new Contract Manager is hired at Step 1, PayRange 35M in Low org 7991 beginning October 3, 2010.

Department/Prepared By Renny More, Fiscal Analyst

Authorized Signature



Did DAS-Fiscal Staff Review?  Yes  No

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

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(ITEM NO. 4) From the Interim Director, Human Resources, requesting authorization to extend the Temporary Assignment to a Higher Classification (TAHC) for Mr. James Martin for the position of IT Director, by recommending adoption of the following:

**AN AMENDED RESOLUTION**

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

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

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

WHEREAS, Mr. James Martin has been serving in the position of Interim IT Director – Governance through a TAHC within the Information Management Services Division (IMSD) since February 8, 2010; and

WHEREAS, Mr. Martin continues to serve through a TAHC as Interim IT Director – Governance while Ms. Laurie Panella is on a TAHC as the Interim Chief Information Officer (CIO); and

WHEREAS, it is necessary to extend Mr. Martin’s TAHC to ensure continuity of critical business operations with IMSD; and

WHEREAS, the Committee on Personnel, at its meeting of September 24, 2010, recommended approval of the Director of Human Resources’ request as AMENDED (vote 6-0); now, therefore,

BE IT RESOLVED, that Mr. James Martin shall continue to serve through a Temporary Assignment to a Higher Classification (TAHC) as the Interim IT Director – Governance under the direction of Ms. Laurie Panella, Interim Chief Information Officer (CIO), until December 17, 2010, or until a permanent Chief Information Officer is confirmed, whichever occurs first.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** 8/17/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** REQUEST TAHC AUTHORIZATION FOR THE POSITION OF IT DIRECTOR - GOVERNANCE IN THE INFORMATION MANAGEMENT SERVICES DIVISION (IMSD)

**FISCAL EFFECT:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input checked="" type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><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
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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. <sup>1</sup> 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 authorizes the existing TAHC for Mr. James Martin to continue serving as the Interim IT Director – Governance within the Information Management Services Division (IMSD).
  - B. The cost related to the proposed TAHC is \$3,572 for a 90 day period. That cost is absorbed into IMSD's budget and is offset by salary savings from vacant positions, including the funded and vacant position of IT Director – Governance. Therefore, the proposed TAHC has no direct fiscal impact.
  - C. No fiscal impacts are anticipated for current or the subsequent fiscal year. See above.
  - D. It is assumed that this position needs to be filled to ensure critical business continuity within the IMSD.

Department/Prepared By DAS - Fiscal Affairs, Davida Amenta

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

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

Supervisor Elizabeth Coggs, Chairman  
By the Committee on Finance and Audit Reporting on:

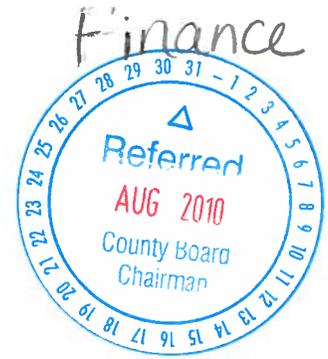
File No. 10-341

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(ITEM 1) A report from the Association of Local Government Auditors, an external quality control review of the Milwaukee County Department of Audit, for the period of January 1, 2007, through June 30, 2010, by recommending the said report be **RECEIVED AND PLACED ON FILE.**

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**COUNTY OF MILWAUKEE  
Inter-Office Communication**



**Date:** August 27, 2010  
**To:** Lee Holloway, Chairman, Milwaukee County Board of Supervisors  
**From:** Jerome J. Heer, Director of Audits  
**Subject:** External Quality Review of Department of Audit

Government auditing standards require that our office undergo a periodic external quality review. The enclosed report represents the results of that review for the period January 1, 2007 through June 30, 2010.

The review was conducted under the auspices of the Association of Local Government Auditors by a team of seasoned professionals from three of the nation's most respected local government audit offices.

We are proud of the fact that the review team has given us a 'clean' opinion. The team also made two observations in their management letter. We agree with the observations and will implement the corresponding recommendations.

Please refer the review to the Finance and Audit Committee.

Sincerely,



Jerome J. Heer

JJH/cmr

Attachments

cc: Supervisor Elizabeth Coggs, Chairwoman, Committee on Finance and Audit



# External Quality Control Review

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of the  
Milwaukee County  
Department of Audit

Conducted in accordance with guidelines of the  
**Association of Local Government  
Auditors**  
for the period January 1, 2007 through  
June 30, 2010

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# Association of Local Government Auditors

August 26, 2010

Mr. Jerome J. Heer  
Director of Audits  
Milwaukee County Department of Audit  
City Campus, 9<sup>th</sup> Floor  
2711 West Wells Street  
Milwaukee, WI 53208

Dear Mr. Heer:

We have completed a peer review of the Milwaukee County Department of Audit for the period January 1, 2007 through June 30, 2010. In conducting our review, we followed the standards and guidelines contained in the *Peer Review Guide* by the Association of Local Government Auditors (ALGA).

We reviewed the internal quality control system of your audit organization and conducted tests in order to determine if your internal quality control system operated to provide reasonable assurance of compliance with *Government Auditing Standards* issued by the Comptroller General of the United States. Due to variances in individual performance and judgment, compliance does not imply adherence to standards in every case, but does imply adherence in most situations.

Based on the results of our review, it is our opinion that the Milwaukee County Department of Audit's internal quality control system was suitably designed and operating effectively to provide reasonable assurance of compliance with *Government Auditing Standards* for audits and attestation engagements during January 1, 2007 through June 30, 2010.

We have prepared a separate letter offering suggestions to further strengthen your internal quality control system.

Mary Jo Emanuele  
City of Kansas City, MO

Elizabeth Moore  
City of Memphis, TN

Ross Tate  
Maricopa County, AZ



# Association of Local Government Auditors

August 26, 2010

Mr. Jerome J. Heer  
Director of Audits  
Milwaukee County Department of Audit  
City Campus, 9<sup>th</sup> Floor  
2711 West Wells Street  
Milwaukee, WI 53208

Dear Mr. Heer:

We have completed a peer review of the Milwaukee County Department of Audit for the period January 1, 2007 through June 30, 2010 and issued our report thereon dated August 26, 2010. We are issuing this companion letter to offer certain observations and suggestions stemming from our peer review.

We would like to mention some of the areas in which we believe your office excels:

- The Department of Audit has very qualified and experienced staff which is reflected in the audit work they produce. The tone at the top is very supportive and instrumental in maintaining the level of expertise.
- The report format is very effective and allows readers at all levels to get what they need from the report. The titles are informative, the table of contents tells the story of the report; the summaries are useful for executives, and the body provides the details for those who need them.

We offer the following observations and suggestions to enhance your organization's demonstrated adherence to *Government Auditing Standards*:

- Although the Department of Audit has demonstrated its efforts to monitor quality, the results of its monitoring procedures are not summarized at least annually as required by GAS 3.54.

In order to identify any systemic issues needing improvement, the Department of Audit should summarize the results of its monitoring efforts annually and recommend corrective action.

- Although the Department of Audit does cite compliance with *Government Auditing Standards* in its audit reports, it does not use the boilerplate language in GAS 8.30

In order to meet GAS 8.30, the Department of Audit should include the following language in audits to fully follow *Government Auditing Standards*:

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We extend our thanks to you and your staff for the hospitality and cooperation extended to us during our review.

Sincerely,

   
Mary Jo Emanuele      Elizabeth Moore  
City of Kansas City, MO      City of Memphis, TN

  
Ross Tate  
Maricopa County, AZ



Mary Jo Emanuele  
August 26, 2010  
Page 2

Thank you for your efforts and constructive insights.



Jerome J. Heer  
Director of Audits

cc: Elizabeth Moore, City of Memphis, TN  
Ross Tate, Maricopa County, AZ  
Alan Gutowski, City of Albuquerque, NM

RECEIVED

Supervisor Elizabeth Coggs, Chairman  
From the Committee on Finance and Audit Reporting on:

File No. 10-11(a)(c)  
(Journal, December 17, 2009)

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(ITEM 2) Reference file established by the County Board Chairman, relative to Investment Reports from Treasurer, by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Milwaukee County Treasurer, titled "2010 Second Quarter Earnings on Investments Report," dated July 20, 2010, (vote 7-0).

H:\Shared\COMCLERK\Committees\2010\SepF&A\Resolutions\10-11 ac Treasurer 2010 2nd qtr.doc



Daniel J. Diliberti  
Milwaukee County Treasurer

DATE: July 20, 2010  
TO: Elizabeth M. Coggs, Chair, Finance and Audit Committee  
FROM: Daniel J. Diliberti, Milwaukee County Treasurer  
RE: 2010 Second Quarter Earnings on Investments Report

The attached 2010 second-quarter report of earnings on Investments report is being presented as an informational item.

As reported in the First Quarter Report by this office to the Finance Committee, this earnings statement maintains that projection of a small \$2,145 year-end surplus in the approved 2010 Budget for Earnings on Investments.

That previous report also references the continuing policy of the Federal Reserve - which has retained a near 0% interest rate. This ongoing money policy has affected the County's banking interest revenue as well as our earnings on investments. The anticipation of that enduring policy was the basis of the Proposed 2010 Budget submitted by this office that reflected the decline in earnings on investments from the 2009 budget year.

This informational item is forwarded to the Finance Committee on a quarterly basis. I will keep the Finance and Audit Committee advised throughout the year as to any changes in the projected amount of revenues derived from Earnings on Investments in 2010.

A handwritten signature in black ink that reads "Daniel J. Diliberti".

Daniel J. Diliberti  
Milwaukee County Treasurer

**Investment Reporting Form**

Report for Year-to-Date	<b><u>06/30/10</u></b>
Average Net Daily Amount Invested	\$360,861,911
Average Rate of return (year-to-date)	<u>1.33%</u>
Actual Investment Earnings (All Funds)	\$2,383,521

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**Estimated Year to Date**

Projected Earnings on Investments (All Funds)	\$4,311,256
*Projected Earnings on Trusts, Reserves, Capital Fund, Etc.	(\$1,700,000)
Market Adjustment (Unrealized)	\$ 100,000
General Revenue Fund Earnings	<u>\$2,711,256</u>
Budgeted General Fund Earnings	\$2,709,111
<u>Deficit/Surplus</u>	<u>\$ 2,145</u>

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Prepared by:   
Daniel J. Diliberti  
Milwaukee County Treasurer

\*Information based on estimates of reported earnings provided by the Department of Administration

## *M&I Managed Investment Portfolio*

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Performance and Statistics  
Quarter Ending 06/30/2010

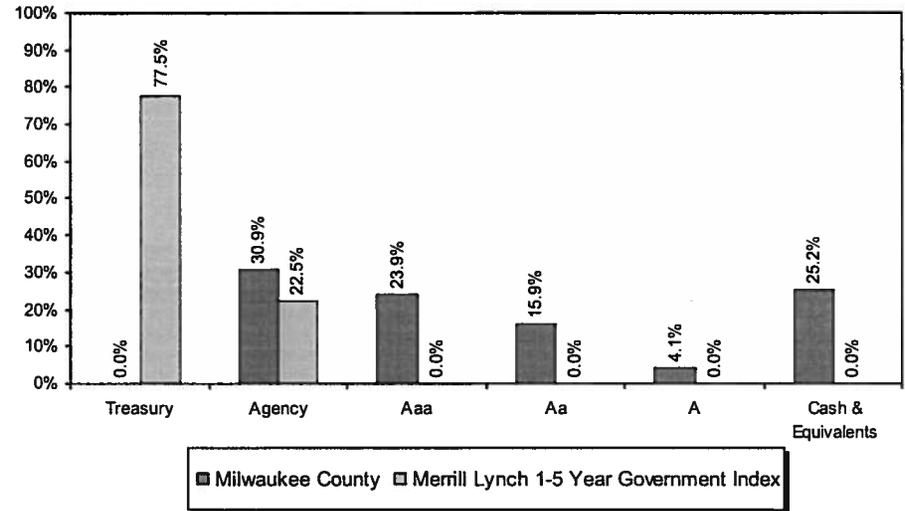
	<b>1 month</b> <b>05/31/10-</b> <b>06/30/10</b>	<b>3 Month</b> <b>03/31/10-</b> <b>06/30/10</b>	<b>1 Year</b> <b>06/30/09-</b> <b>06/30/10</b>	<b>3 Year*</b> <b>06/30/07-</b> <b>06/30/10</b>	<b>5 Year*</b> <b>06/30/05-</b> <b>06/30/10</b>
<b>Milwaukee County Investment Portfolio Gross of Fees</b>	0.46%	0.63%	2.83%	4.60%	4.10%
<b>Milwaukee County Investment Portfolio Net of Fees</b>	0.45%	0.61%	2.75%	4.52%	4.02%
Merrill Lynch 1-3 Year Government Index (G1A0)	0.45%	1.13%	2.75%	4.90%	4.35%
Merrill Lynch 1-5 Year Government Index (GVA0)	0.77%	1.91%	4.05%	5.96%	4.85%

\* Annualized

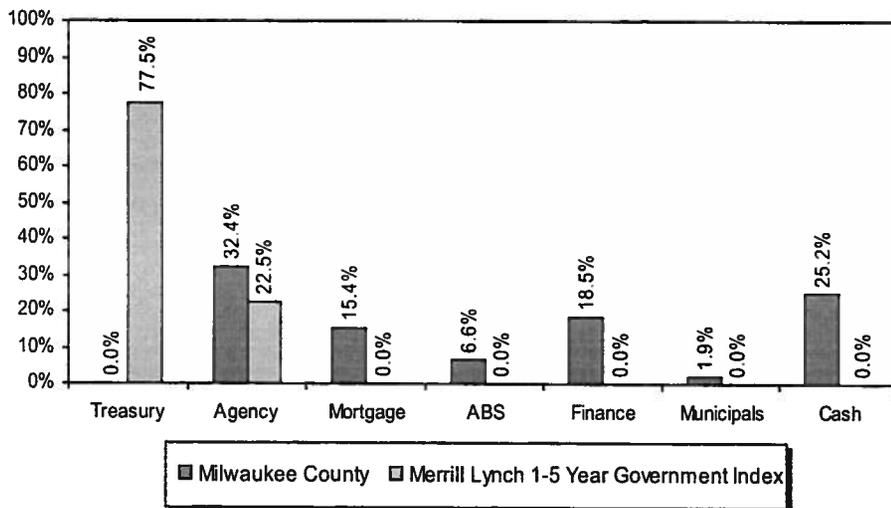
	Milwaukee County	Benchmark*
Average Coupon	2.97%	2.44%
Average Quality	AAA	Treasury
Current Yield	2.76%	2.36%
Yield to Maturity	1.52%	0.98%
Effective Duration	1.6 Years	2.5 Years

\* Merrill Lynch 1-5 Year Government Index

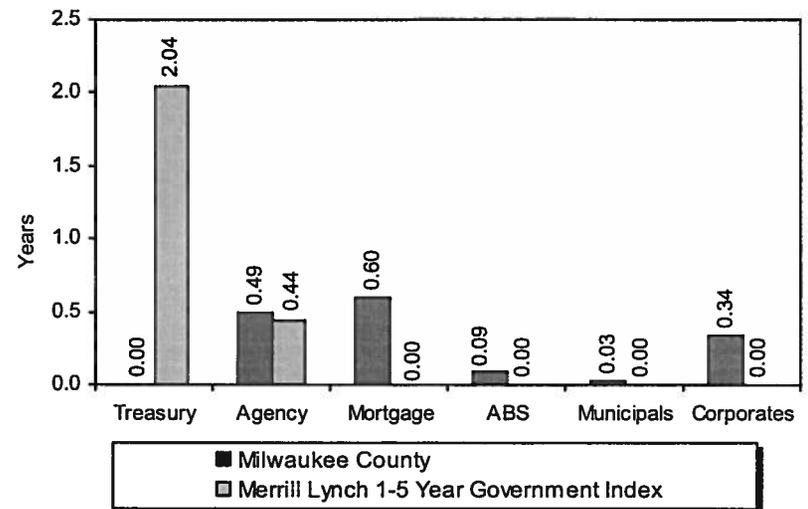
### Quality



### Sector Diversification



### Duration Analysis



# M&I Managed Investment Portfolio Holdings

POINT®

Universe: 610769010 MILWAUKEE C

Partition: Class 2 Nested / System

Portfolio Positions

Run Date: 07/07/2010

As Of: 30 Jun 2010

Base Currency: USD

Cusip	Position Amount	Description	Coupon	Maturity Date	Price	Moody	Current Yield	Yield to Mat	Avg. Life	OAD	OAD (cnr)	MV	MV (%)
<b>Government-Related - Agency</b>													
31359MLS	1,500,000	FEDERAL NATL MTG ASSN-GLOBAL	5.375	11/15/2011	106.490997	AAA	5.047	0.617	1.372	1.33	0.042	1,607,667	3.13
3134A4QD	1,500,000	FEDERAL HOME LN MTG CORP-GLOB	5.125	07/15/2012	108.892998	AAA	4.706	0.723	2.039	1.92	0.062	1,668,843	3.25
31359M2L	1,500,000	FEDERAL NATL MTG ASSN-GLOBAL	4.750	12/15/2010	102.016998	AAA	4.656	0.315	0.456	0.46	0.014	1,533,422	2.98
31359MM2	1,000,000	FEDERAL NATL MTG ASSN-GLOBAL	5.125	04/15/2011	103.695999	AAA	4.942	0.426	0.789	0.78	0.016	1,047,779	2.04
3137EABE	1,000,000	FEDERAL HOME LN MTG CORP	4.125	12/21/2012	107.725998	AAA	3.829	0.955	2.472	2.38	0.050	1,078,406	2.10
61757UA11	1,000,000	MORGAN STANLEY DEAN WITTER	1.950	06/20/2012	102.303001	AAA	1.906	0.769	1.969	1.94	0.039	1,023,626	1.99
949744AC	1,000,000	WELLS FARGO & CO	2.125	06/15/2012	102.651001	AAA	2.070	0.757	1.956	1.93	0.038	1,027,454	2.00
31398A2F	1,500,000	FEDERAL NATL MTG ASSN	2.000	09/28/2012	100.392998	AAA	1.992	1.820	2.242	0.24	0.007	1,513,645	2.94
17314JAT	800,000	CITIGROUP INC	1.750	12/28/2012	101.820992	AAA	1.719	1.008	2.492	2.45	0.039	814,685	1.58
31398A117	1,000,000	FEDERAL NATL MTG ASSN	1.800	03/15/2013	100.592003	AAA	1.789	1.575	2.706	1.29	0.025	1,011,220	1.97
31398A12	1,000,000	FEDERAL NATL MTG ASSN	2.050	04/26/2013	101.214996	AAA	2.025	1.607	2.819	1.17	0.023	1,015,851	1.98
31398AQ9	700,000	FEDERAL NATL MTG ASSN	2.000	05/10/2013	100.521004	AAA	1.990	1.812	2.858	0.47	0.006	705,630	1.37
3134G1E11	1,010,000	FEDERAL HOME LN MTG CORP	1.300	06/08/2012	101.113998	AAA	1.299	1.240	1.936	0.40	0.008	1,011,990	1.97
31398AF4	820,000	FEDERAL NATL MTG ASSN	1.500	06/26/2013	101.086998	AAA	1.484	1.129	2.986	2.93	0.047	829,084	1.61
<b>Government-Related - Local Authority</b>													
6832348Y	750,000	ONTARIO PROV CANADA-GLOBAL	2.700	06/16/2015	101.377998	AA1	2.663	2.403	4.958	4.70	0.070	761,179	1.48
<b>Corporate - Financial Institutions</b>													
36962GXS	2,000,000	GENERAL ELECTRIC CAPITAL-GLOBA	5.875	02/15/2012	106.196991	AA2	5.532	1.973	1.622	1.54	0.065	2,168,329	4.22
060505AQ	1,000,000	BANK OF AMERICA CORP-GLOBAL	6.250	04/15/2012	105.662498	A2	5.915	2.973	1.789	1.70	0.035	1,069,819	2.08
084664AF	750,000	BERKSHIRE HATHAWAY FINANCE-GL	4.200	12/15/2010	101.309929	AA2	4.146	1.305	0.456	0.46	0.007	761,224	1.48
466251ICA	1,000,000	JP MORGAN CHASE & CO	4.500	01/15/2012	104.510452	AA3	4.306	1.523	1.539	1.48	0.031	1,065,855	2.07
929903CF	1,000,000	WACIJOVIA CORP-GLOBAL	5.300	10/15/2011	104.603050	A1	5.067	1.673	1.289	1.25	0.026	1,057,219	2.06
172967DZ	1,000,000	CITIGROUP INC	5.250	02/27/2012	103.401688	A3	5.077	3.123	1.656	1.58	0.032	1,052,100	2.05
466251IIP	700,000	JP MORGAN CHASE & CO	3.700	01/20/2015	101.908470	AA3	3.631	3.245	4.553	4.19	0.059	724,942	1.41
084670AU	1,000,000	BERKSHIRE HATHAWAY INC	2.125	02/11/2013	101.367393	AA2	2.096	1.588	2.611	2.54	0.050	1,021,938	1.99
911591IGW	600,000	US BANCORP	2.000	06/14/2013	100.692924	AA3	1.986	1.758	2.953	2.88	0.034	604,724	1.18
<b>Securitized - ABS</b>													
233875AC	279,898	DaimlerChrysler Auto Trust 200	4.980	11/08/2011	100.105000	AAA	4.975	4.614	0.022	0.25	0.001	281,044	0.55
90327MAD	1,000,000	USAA Auto Owner Trust 2008-1	4.500	10/15/2013	102.817001	AAA	4.377	1.401	0.915	0.88	0.018	1,030,170	2.00
43812KAC	750,000	Honda Auto Receivables 2010-2	1.340	03/18/2014	100.448000	AAA	1.334	1.085	1.756	1.73	0.025	753,695	1.47
06052MAC	670,000	Bank of America Auto Trust 201	1.310	07/15/2014	100.250000	AAA	1.307	1.174	1.827	1.80	0.023	671,821	1.31
02005LAC	670,000	Ally Auto Receivables Trust 20	1.380	07/15/2014	100.125000	AAA	1.378	1.311	1.746	1.72	0.022	670,966	1.31
<b>Securitized - CMBS</b>													
38373MIU	952,029	Ginnie Mae 2003-78	5.110	10/16/2027	105.500000	AAA	4.844	2.591	2.353	2.20	0.043	1,008,310	1.96
38374E7M	448,339	Ginnie Mae 2004-6	3.949	07/16/2033	104.026000	AAA	3.796	3.483	10.591	8.43	0.077	467,815	0.91
38374MAB	1,000,000	Ginnie Mae 2005-79	4.646	03/16/2022	105.857000	AAA	4.389	2.742	3.306	3.05	0.063	1,062,313	2.07
38373MYF	786,802	Ginnie Mae 2007-12	3.957	06/16/2031	103.662000	AAA	3.817	2.395	2.539	2.38	0.038	818,123	1.59
38373MI4	1,000,000	Ginnie Mae 2007-46	4.419	05/16/2034	103.795000	AAA	4.257	1.705	1.490	1.43	0.029	1,041,510	2.03
38373MT2	1,000,000	Ginnie Mae 2008-24	3.862	03/16/2029	104.520000	AAA	3.695	2.545	3.688	3.43	0.070	1,048,311	2.04
38373M29	919,558	Ginnie Mae REMIC Trust 2008-08	3.325	04/16/2023	101.281000	AAA	3.283	2.117	1.186	1.15	0.021	933,801	1.82
38376G1IC	1,492,470	Ginnie Mae REMIC Trust 2010-04	2.517	10/16/2027	101.521000	AAA	2.480	2.339	9.877	8.64	0.255	1,518,197	2.95
<b>Cash</b>													
CASH0001	12,945,875	CASH ON HAND 1 MONTH	1.000	08/01/2010	100.000000	AAA	1.000	1.002	0.085	0.08	0.021	12,945,875	25.18
<b>Others</b>													
67756QDX	430,000	OHIO ST HSG FIN AGY RESIDENTIA	5.641	03/01/2012	103.186000	AAA	5.467	3.650	1.668	1.59	0.014	451,785	0.88
676907PN	500,000	OHIO HSG FIN AGY MTG REV	5.050	03/01/2012	104.234000	AAA	4.845	2.440	1.668	1.59	0.016	529,587	1.03



DANA INVESTMENT ADVISORS, INC.

**Dana Investment Advisors**  
Performance Report  
**578 - Milwaukee County**  
From December 31, 2009 to Jun 30 2010

	<u>Market</u>	<u>Cost</u>
<b>Portfolio Value on 12/31/2009</b>	<b>\$53,951,920.06</b>	<b>\$53,345,614.99</b>
<b>Contributions/Withdrawals</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Interest</b>	<b>\$739,734.01</b>	<b>\$739,734.01</b>
<b>Dividends</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Unrealized Gain/Loss</b>	<b>\$435,102.76</b>	<b>\$0.00</b>
<b>Realized Gain/Loss</b>	<b>(\$30,926.68)</b>	<b>\$65,141.71</b>
<b>Change in Accrued Income</b>	<b>(\$77,525.60)</b>	<b>(\$77,525.60)</b>
<b>Portfolio Value on 06/30/2010</b>	<b>\$55,018,304.55</b>	<b>\$54,072,965.16</b>
<b>Total Gain</b>	<b>\$1,066,384.49</b>	<b>\$727,350.12</b>
<b>Management fee</b>	<b>(\$40,245.69)</b>	<b>(\$40,245.69)</b>
<b>Total Gain After Fees</b>	<b>\$1,026,138.80</b>	<b>\$687,104.43</b>

<b>Unannualized Returns For the</b>	<b>1.90%</b>	<b>1.28%</b>
<b>Annualized Cash Flow Yield</b>		<b>2.58%</b>

<b>Unannualized Returns For period</b>		
<b>Total Portfolio</b>		<b>1.90%</b>
<b>ML US TREASURY/AGENCY 1-3 YEAR</b>		<b>1.84%</b>

# Dana Investment Advisors, Inc.

## PORTFOLIO HOLDINGS



Portfolio: 578 - Milwaukee County

As of 06/30/2010

Shares/ PAR	Identifier	Description	Unit Cost	Current Cost	Price	Market Value	Pct. Assets	Accruals Owed	Cur. Yield
<b>Cash</b>									
<b>Short Term Investments</b>									
<b>Cash Equivalents</b>									
	000009	Cash - Money Fund		3,740,207.86		3,740,207.86	6.83	.00	.01
		<b>Total Cash Equivalents</b>		<b>3,740,207.86</b>		<b>3,740,207.86</b>	<b>6.83</b>	<b>.00</b>	<b>.01</b>
		<b>Total Short Term Investments</b>		<b>3,740,207.86</b>		<b>3,740,207.86</b>	<b>6.83</b>	<b>.00</b>	<b>.01</b>
<b>Bonds</b>									
<b>Agency Bonds</b>									
<b>Fixed Rate Agency</b>									
<b>FNMA Fixed Rate Agency</b>									
2,000,000	31359MZ30	FANNIE MAE 5% Due 10/15/2011	103.64	2,072,860.00	105.78	2,115,625.00	3.86	20,833.33	4.73
1,000,000	31398AZF2	FANNIE MAE 2% Due 09/28/2012	99.98	999,750.00	100.40	1,003,985.00	1.83	5,111.11	1.99
1,000,000	31398AJ29	FANNIE MAE 2.1% Due 09/16/2013	99.95	999,500.00	100.38	1,003,750.00	1.83	6,066.67	2.09
<b>4,000,000.00</b>		<b>Total FNMA Fixed Rate Agency</b>		<b>4,072,110.00</b>		<b>4,123,360.00</b>	<b>7.53</b>	<b>32,011.11</b>	<b>3.42</b>
		<b>Total Fixed Rate Agency</b>		<b>4,072,110.00</b>		<b>4,123,360.00</b>	<b>7.53</b>	<b>32,011.11</b>	<b>3.42</b>
		<b>Total Agency Bonds</b>		<b>4,072,110.00</b>		<b>4,123,360.00</b>	<b>7.53</b>	<b>32,011.11</b>	<b>3.42</b>
<b>Mortgage Bonds</b>									
<b>Adjustable Rate Mortgages</b>									
<b>FHLMC - Adjustable Rate Mortgages</b>									
32,466.59	31336CJC8	FH 972059 4.211% Due 03/01/2026	101.94	33,095.64	105.68	34,310.69	.06	224.65	3.98
36,804.01	31295MQ78	FH 788578 3.403% Due 01/01/2030	102.50	37,724.12	103.22	37,987.63	.07	205.58	3.30
9,691.75	31337A4V5	FH 410836 2.953% Due 08/01/2030	101.98	9,884.05	104.77	10,154.15	.02	47.03	2.82
21,243.85	31349G7A1	FH 755389 3% Due 01/01/2031	102.36	21,745.05	103.84	22,058.55	.04	104.53	2.89
144,891.10	31349HA23	FH 755425 4.595% Due 06/01/2031	102.78	148,920.89	103.33	149,714.53	.27	1,095.08	4.45
14,648.35	3128HDXQ7	FH 846987 2.972% Due 01/01/2032	101.77	14,908.13	104.51	15,308.40	.03	71.48	2.84
49,941.14	3128HDYV5	FH 847024 3.048% Due 05/01/2032	102.34	51,111.64	104.33	52,103.09	.10	251.53	2.92
20,859.91	3128HDZ36	FH 847062 2.863% Due 09/01/2032	102.97	21,479.18	104.38	21,773.99	.04	99.69	2.74
45,242.42	3128HD3C1	FH 847095 2.734% Due 12/01/2032	102.97	46,585.53	103.82	46,970.68	.09	203.00	2.63
24,063.18	31342AJM2	FH 780268 2.721% Due 02/01/2033	102.97	24,777.59	103.98	25,021.62	.05	107.41	2.62
128,775.60	31336SMH8	FH 180760 2.865% Due 03/01/2033	102.41	131,874.27	105.24	135,527.30	.25	605.50	2.72
111,149.19	3128JRBG0	FH 847239 2.957% Due 03/01/2033	102.94	114,414.19	104.24	115,856.36	.21	540.92	2.84
23,981.80	3128HD4S5	FH 847133 2.633% Due 04/01/2033	102.91	24,678.79	104.11	24,966.97	.05	103.67	2.53
88,749.38	3128JRDZ6	FH 847320 2.731% Due 04/01/2033	102.47	90,940.37	104.11	92,396.98	.17	397.73	2.62
153,451.38	3128HD5H8	FH 847148 2.623% Due 05/01/2033	100.19	153,739.11	104.13	159,790.45	.29	661.03	2.52
308,305.32	31336CLB7	FH 972122 2.392% Due 06/01/2033	100.94	311,195.67	104.07	320,844.10	.59	1,315.73	2.30
107,065.99	31342A7J2	FH 780897 3.109% Due 07/01/2033	102.69	109,943.38	103.51	110,819.72	.20	546.21	3.00
59,964.47	3128HD6B0	FH 847166 2.741% Due 08/01/2033	102.76	61,616.88	103.80	62,245.52	.11	271.39	2.64
853,040.45	31349SHH9	FH 781132 2.605% Due 01/01/2034	100.97	861,304.30	103.68	884,432.34	1.62	3,648.23	2.51
836,922.80	31349SJB0	FH 781158 2.605% Due 01/01/2034	100.94	844,768.96	103.68	867,721.56	1.59	3,577.71	2.51
632,396.25	31349SM75	FH 781282 2.625% Due 02/01/2034	101.00	638,720.22	103.97	657,515.03	1.20	2,735.45	2.52
433,137.50	3128JRSA5	FH 847713 2.777% Due 10/01/2034	101.84	441,123.48	103.98	450,376.37	.82	1,996.16	2.67
339,893.40	3128JRFR2	FH 847376 2.79% Due 12/01/2034	101.16	343,823.42	104.02	353,563.91	.65	1,584.70	2.68
784,761.58	3128JRR32	FH 847706 2.915% Due 01/01/2035	100.75	790,647.30	104.29	818,427.85	1.50	3,763.84	2.80
1,504,698.05	3128JNP58	FH 183243 3.618% Due 02/01/2037	101.39	1,525,622.76	104.32	1,569,731.10	2.87	9,391.28	3.47
<b>6,766,145.45</b>		<b>Total FHLMC - Adjustable Rate Mortgages</b>		<b>6,854,644.92</b>		<b>7,039,618.89</b>	<b>12.86</b>	<b>33,549.53</b>	<b>2.85</b>
<b>FNMA - Adjustable Rate Mortgages</b>									
196,073.75	31362TWP4	FN 70854 3.166% Due 03/01/2018	101.25	198,524.72	101.25	198,524.67	.36	492.96	3.13
183,636.00	31365DEZ4	FN 124452 3.069% Due 02/01/2021	101.50	186,390.41	102.18	187,641.10	.34	456.36	3.00
118,813.96	31376YB96	FN 369164 4.522% Due 08/01/2026	102.44	121,710.00	102.61	121,913.70	.22	394.81	4.41
171,731.20	31384WAP5	FN 535614 3.587% Due 01/01/2029	102.12	175,380.47	102.38	175,809.82	.32	499.40	3.50
16,522.00	31389YSR3	FN 639628 2.997% Due 02/01/2029	102.97	17,012.47	102.00	16,852.44	.03	39.89	2.94
9,906.19	31385RXL9	FN 550683 2.918% Due 12/01/2029	101.94	10,098.12	100.13	9,918.57	.02	23.29	2.91

# Dana Investment Advisors, Inc.

## PORTFOLIO HOLDINGS



Portfolio: 578 - Milwaukee County

As of 06/30/2010

Shares/ PAR	Identifier	Description	Unit Cost	Current Cost	Price	Market Value	Pct. Assets	Accruals Owed	Cur. Yield
5,374.12	31384VSC7	FN 535215 2.825% Due 02/01/2030	101.94	5,478.25	100.50	5,400.99	.01	12.12	2.81
11,746.33	31389F3W0	FN 624613 2.72% Due 03/01/2030	102.50	12,040.00	100.00	11,746.33	.02	25.77	2.72
169,211.99	31386M2G4	FN 567875 4.532% Due 09/01/2030	102.91	174,129.74	103.25	174,711.38	.32	623.07	4.39
66,758.14	31387TZE7	FN 593941 4.899% Due 12/01/2030	102.94	68,719.19	102.75	68,593.98	.13	252.16	4.77
2,606.34	31386GGM9	FN 562804 3.26% Due 02/01/2031	101.94	2,656.83	100.00	2,606.34	.00	6.84	3.26
3,268.19	31385HJQ4	FN 545057 2.782% Due 05/01/2031	101.75	3,325.40	100.63	3,288.62	.01	7.30	2.76
3,691.33	31385HVV1	FN 545228 3.064% Due 09/01/2031	102.88	3,797.46	102.00	3,765.15	.01	9.00	3.00
522,875.20	31389WW35	FN 637966 2.401% Due 03/01/2032	101.03	528,268.14	102.63	536,600.67	.98	1,011.31	2.34
209,635.36	31390CLB0	FN 642122 3.553% Due 03/01/2032	102.78	215,465.84	103.25	216,448.51	.40	600.01	3.44
28,515.36	31389VE86	FN 636559 2.46% Due 04/01/2032	103.00	29,370.79	100.45	28,643.67	.05	56.51	2.45
53,250.29	31390AHA1	FN 640225 3.52% Due 04/01/2032	102.44	54,548.25	102.00	54,315.30	.10	150.99	3.45
542,818.65	31402RKC2	FN 735691 2.637% Due 04/01/2032	101.37	550,282.36	102.25	555,032.07	1.01	1,153.52	2.58
22,757.83	31390CN93	FN 642216 2.479% Due 05/01/2032	102.63	23,355.24	100.25	22,814.72	.04	45.45	2.47
47,004.78	31390NMB5	FN 651154 4.361% Due 09/01/2032	102.84	48,341.49	102.81	48,325.29	.09	165.13	4.24
36,105.67	31401YHE8	FN 722129 2.35% Due 09/01/2032	103.00	37,188.87	101.87	36,779.94	.07	68.35	2.31
567,625.38	31391TAG0	FN 676823 2.592% Due 11/01/2032	102.37	581,106.47	103.25	586,073.20	1.07	1,185.20	2.51
20,117.02	31391JKL3	FN 668199 2.707% Due 12/01/2032	102.78	20,676.55	102.00	20,519.36	.04	43.87	2.65
290,695.74	31391TX94	FN 676704 2.658% Due 12/01/2032	102.44	297,781.43	102.75	298,689.87	.55	605.80	2.59
42,305.95	31389HWJ3	FN 626249 2.375% Due 01/01/2033	101.50	42,940.53	101.97	43,138.15	.08	80.94	2.33
239,723.59	31400ET91	FN 685576 2.665% Due 03/01/2033	100.56	241,072.03	102.75	246,315.99	.45	514.64	2.59
48,536.73	31400XZR2	FN 701052 2.26% Due 04/01/2033	102.69	49,841.15	101.00	49,022.09	.09	88.36	2.24
105,175.97	31385XP84	FN 555847 4.138% Due 09/01/2033	102.50	107,805.38	103.01	108,339.45	.20	350.51	4.02
120,641.04	31402MNK2	FN 733094 3.143% Due 09/01/2033	101.63	122,601.49	103.38	124,712.68	.23	305.45	3.04
109,320.34	31403BDF7	FN 743602 3.695% Due 09/01/2033	101.91	111,404.24	103.26	112,887.46	.21	325.40	3.58
78,703.31	31403EC21	FN 746289 2.951% Due 10/01/2033	101.78	80,105.20	103.38	81,359.54	.15	187.09	2.85
248,906.99	31402DHT0	FN 725742 2.694% Due 11/01/2033	101.94	253,729.58	102.25	254,507.40	.46	533.15	2.63
80,624.13	31403NUZ8	FN 754000 2.135% Due 12/01/2033	102.75	82,841.31	100.96	81,401.51	.15	138.66	2.11
205,608.89	31402CSX6	FN 725462 3.74% Due 01/01/2034	101.56	208,821.51	103.41	212,626.32	.39	619.45	3.62
350,772.35	31373CSC2	FN 289515 3.925% Due 04/01/2034	102.56	359,760.86	102.25	358,664.72	.66	1,132.24	3.84
462,432.26	31402RBK4	FN 735442 2.821% Due 04/01/2034	101.00	467,056.58	102.75	475,149.14	.87	1,031.87	2.75
286,635.90	31402DNA4	FN 725885 2.896% Due 09/01/2034	102.78	294,607.97	102.97	295,139.24	.54	667.77	2.81
151,607.91	31405JWL4	FN 790951 3.225% Due 09/01/2034	102.47	155,350.71	102.97	156,112.64	.29	393.86	3.13
47,163.64	31374TXT1	FN 323890 3.927% Due 05/01/2036	101.37	47,812.14	101.75	47,989.00	.09	150.22	3.86
99,430.56	31410AH33	FN 883250 3.136% Due 07/01/2036	100.97	100,393.79	103.12	102,532.30	.19	245.74	3.04
309,178.43	31410DQS2	FN 886165 2.972% Due 07/01/2036	100.34	310,241.23	103.98	321,478.78	.59	733.98	2.86
111,300.30	31402CXQ0	FN 725287 2.722% Due 08/01/2036	102.98	114,621.89	102.13	113,665.43	.21	242.80	2.67
100,840.01	31402C2J0	FN 725377 2.807% Due 05/01/2038	102.97	103,833.70	102.38	103,234.96	.19	221.60	2.74
25,005.16	31385Y2D6	FN 557072 1.821% Due 06/01/2040	101.75	25,442.30	101.25	25,317.72	.05	36.52	1.80
<b>6,524,654.23</b>		<b>Total FNMA - Adjustable Rate Mortgages</b>		<b>6,645,932.08</b>		<b>6,698,610.21</b>	<b>12.24</b>	<b>15,929.36</b>	<b>2.97</b>
<b>GNMA - Adjustable Rate Mortgages</b>									
66,155.01	36225CJ56	G2 80283 4.375% Due 05/20/2029	101.16	66,919.93	103.64	68,562.78	.13	233.15	4.22
31,118.52	36225CS23	G2 80536 3.625% Due 08/20/2031	100.66	31,322.73	103.16	32,100.72	.06	90.87	3.51
59,974.94	36225CTZ9	G2 80567 2.75% Due 01/20/2032	99.19	59,487.63	102.59	61,525.53	.11	132.86	2.68
49,660.05	36225CUB0	G2 80577 2.75% Due 02/20/2032	99.09	49,205.88	102.59	50,943.96	.09	110.01	2.68
133,690.17	36225CUT1	G2 80593 4.375% Due 04/20/2032	100.63	134,525.74	103.64	138,555.95	.25	471.16	4.22
68,804.94	36225CZL3	G2 80746 3.25% Due 10/20/2033	100.62	69,234.95	102.87	70,778.82	.13	180.14	3.16
86,401.56	36225C3K0	G2 80801 3.5% Due 01/20/2034	101.67	87,846.09	102.84	88,858.65	.16	243.60	3.40
2,000,000	G2TBA	GNMA TBA 01 3% Due 07/20/2040	103.13	2,062,500.00	103.13	2,062,500.00	3.77	.00	2.91
<b>2,495,805.18</b>		<b>Total GNMA - Adjustable Rate Mortgages</b>		<b>2,561,042.95</b>		<b>2,573,826.41</b>	<b>4.70</b>	<b>1,481.79</b>	<b>3.04</b>
		<b>Total Adjustable Rate Mortgages</b>		<b>16,061,619.95</b>		<b>16,312,055.51</b>	<b>29.80</b>	<b>50,940.68</b>	<b>2.93</b>
		<b>Total Mortgage Bonds</b>		<b>16,061,619.95</b>		<b>16,312,055.51</b>	<b>29.80</b>	<b>50,940.68</b>	<b>2.93</b>

# Dana Investment Advisors, Inc.

## PORTFOLIO HOLDINGS



Portfolio: 578 - Milwaukee County

As of 06/30/2010

Shares/ PAR	Identifier	Description	Unit Cost	Current Cost	Price	Market Value	Pct. Assets	Accruals Owed	Cur. Yield
<b>Municipal Bonds</b>									
<b>Fixed Rate Munis</b>									
<b>Taxable - Fixed Rate</b>									
215,000	676907QA9	OH HFA TXB-RESIDTL-C 5.57% Due 09/01/2038	102.29	219,923.50	101.98	219,252.70	.40	3,958.57	5.46
<b>215,000.00</b>		<b>Total Taxable - Fixed Rate</b>		<b>219,923.50</b>		<b>219,252.70</b>	<b>.40</b>	<b>3,958.57</b>	<b>5.46</b>
		<b>Total Fixed Rate Munis</b>		<b>219,923.50</b>		<b>219,252.70</b>	<b>.40</b>	<b>3,958.57</b>	<b>5.46</b>
		<b>Total Municipal Bonds</b>		<b>219,923.50</b>		<b>219,252.70</b>	<b>.40</b>	<b>3,958.57</b>	<b>5.46</b>
<b>Small Business Administration Bonds</b>									
<b>Adjustable Rate - SBAs</b>									
<b>Prime Rate</b>									
1,296,829.61	83164KBX0	SBA508154 0.745% Due 08/25/2015	100.25	1,300,071.67	99.66	1,292,372.41	2.36	1,719.77	.75
48,205.74	83164F6P4	SBA505378 3.125% Due 03/25/2026	106.87	51,519.88	103.31	49,802.56	.09	247.92	3.02
2,351,600.29	83164KB51	SBA508160 2.575% Due 08/25/2032	107.41	2,525,765.70	105.22	2,474,325.60	4.52	10,088.06	2.45
<b>3,696,635.64</b>		<b>Total Prime Rate</b>		<b>3,877,357.25</b>		<b>3,816,500.57</b>	<b>6.97</b>	<b>12,055.75</b>	<b>1.88</b>
		<b>Total Adjustable Rate - SBAs</b>		<b>3,877,357.25</b>		<b>3,816,500.57</b>	<b>6.97</b>	<b>12,055.75</b>	<b>1.88</b>
		<b>Total Small Business Administration Bonds</b>		<b>3,877,357.25</b>		<b>3,816,500.57</b>	<b>6.97</b>	<b>12,055.75</b>	<b>1.88</b>
<b>Treasury Bonds</b>									
<b>Notes/Bills</b>									
1,000,000	912828JV3	US TREASURY N/B 0.875% Due 12/31/2010	100.46	1,004,609.38	100.30	1,002,968.75	1.83	.00	.87
1,000,000	912828KL3	US TREASURY N/B 0.875% Due 04/30/2011	100.30	1,003,046.88	100.44	1,004,375.00	1.83	1,450.41	.87
1,000,000	912828GM6	US TREASURY N/B 4.5% Due 03/31/2012	105.67	1,056,726.52	107.00	1,070,000.00	1.95	11,188.52	4.21
1,000,000	912828GQ7	US TREASURY N/B 4.5% Due 04/30/2012	105.62	1,056,177.61	107.27	1,072,656.25	1.96	7,459.24	4.20
2,070,000	912828HC7	US TREASURY N/B 4.125% Due 08/31/2012	99.62	2,062,092.08	107.56	2,226,543.75	4.07	28,307.81	3.83
900,000	912828HK9	US TREASURY N/B 3.375% Due 11/30/2012	99.91	899,181.74	106.41	957,656.25	1.75	2,489.75	3.17
1,000,000	912828HT0	US TREASURY N/B 2.75% Due 02/28/2013	100.37	1,003,749.00	105.06	1,050,625.00	1.92	9,116.85	2.62
2,600,000	912828JT8	US TREASURY N/B 2% Due 11/30/2013	100.08	2,602,181.94	102.70	2,670,281.25	4.88	4,262.30	1.95
645,000	912828JW1	US TREASURY N/B 1.5% Due 12/31/2013	99.87	644,137.36	100.89	650,744.53	1.19	.00	1.49
2,860,000	912828KF6	US TREASURY N/B 1.875% Due 02/28/2014	99.38	2,842,234.46	101.95	2,915,859.38	5.33	17,777.85	1.84
1,055,000	912828KN9	US TREASURY N/B 1.875% Due 04/30/2014	98.01	1,033,978.91	101.86	1,074,616.41	1.96	3,278.96	1.84
		<b>Total Notes/Bills</b>		<b>15,208,115.88</b>		<b>15,696,326.57</b>	<b>28.67</b>	<b>85,331.69</b>	<b>2.46</b>
<b>Treasury Inflation Protected Security</b>									
2,000,000	9128276R8	TSY INFL IX N/B 3.5% Due 01/15/2011	129.87	2,597,346.52	127.37	2,547,332.89	4.65	40,205.52	2.75
1,000,000	912828FB1	TSY INFL IX N/B 2.375% Due 04/15/2011	113.96	1,139,590.37	111.70	1,116,995.25	2.04	5,416.43	2.13
1,800,000	912828GN4	TSY INFL IX N/B 2% Due 04/15/2012	112.00	2,016,039.65	111.37	2,004,725.85	3.66	8,030.76	1.80
1,000,000	912828AF7	TSY INFL IX N/B 3% Due 07/15/2012	125.95	1,259,451.95	129.09	1,290,869.71	2.36	16,679.42	2.32
1,000,000	912828HW3	TSY INFL IX N/B 0.625% Due 04/15/2013	100.61	1,006,063.47	105.34	1,053,447.76	1.92	1,338.53	.59
1,000,000	912828CP3	TSY INFL IX N/B 2% Due 07/15/2014	114.46	1,144,610.96	124.23	1,242,333.98	2.27	10,606.57	1.61
1,000,000	912828FL9	TSY INFL IX N/B 2.5% Due 07/15/2016	107.79	1,077,869.34	120.22	1,202,237.44	2.20	12,374.91	2.08
		<b>Total Treasury Inflation Protected Security</b>		<b>10,240,972.26</b>		<b>10,457,942.88</b>	<b>19.10</b>	<b>94,652.14</b>	<b>2.02</b>
		<b>Total Treasury Bonds</b>		<b>25,449,088.14</b>		<b>26,154,269.45</b>	<b>47.78</b>	<b>179,983.83</b>	<b>2.28</b>
		<b>Total Bonds</b>		<b>49,680,098.84</b>		<b>50,625,438.23</b>	<b>92.48</b>	<b>278,949.94</b>	<b>2.57</b>
		<b>Total Portfolio</b>		<b>53,420,306.70</b>		<b>54,365,646.09</b>			

Paydown Receivable	373,708.52	373,708.52
Interest Accrued	278,949.94	278,949.94
Dividends Accrued	0.00	0.00
<b>Total Portfolio with Accruals &amp; Receivables</b>	<b>54,072,965.16</b>	<b>55,018,304.55</b>

*The market prices shown on these pages represent the last reported sale on the stated report date as to listed securities or the bid price in the case of over-the-counter quotations. Prices on bonds and some other investments are based on round lot price quotations and are for evaluation purposes only and may not represent actual market values. Bonds sold on an odd lot basis (less than \$1 million) may have a dollar price lower than the round lot quote. Where no regular market exists, prices shown are estimates by sources considered reliable by Dana Investment Advisors. While the prices are obtained from sources we consider reliable, we cannot guarantee them. Dana Investment Advisors is not a custodian. Clients should be receiving detailed statements from their custodian at least quarterly. While Dana Investment Advisors regularly reconciles to custodian information, we encourage clients to review their custodian statement(s).*



# Alberts Investment Management Inc.

## Milwaukee County Performance Report Quarter Ending 06/30/10

Long-term Funds Under Management <u>\$54,516,581.15</u>	<u>2nd Quarter</u>	<u>YTD</u>	<u>Since Inception *</u>
Milwaukee County Portfolio - Gross	1.22%	2.01%	2.99%
Merrill Lynch 1-3 Year Treasury/Agency Index	1.13%	1.84%	2.58%
Difference	0.08%	0.17%	0.41%
Milwaukee County Portfolio - Net	1.19%	1.96%	2.90%
Merrill Lynch 1-3 Year Treasury/Agency Index	1.13%	1.84%	2.58%
Difference	0.06%	0.12%	0.32%

Short-term Funds Under Management <u>\$25,000,000.00</u>	<u>2nd Quarter</u>	<u>YTD</u>	<u>Since Inception *</u>
Milwaukee County Portfolio - Gross 0.40%/year	0.10%		
M&I Tag Program Rate 0.25%/year	0.06%		
Difference	0.04%		
Milwaukee County Portfolio - Net	0.08%		
M&I Tag Program Rate 0.25%/year	0.06%		
Difference	0.02%		

Combined Average Funds: <u>\$79,516,581.15</u>	<u>2nd Quarter</u>	<u>YTD</u>	<u>Since Inception *</u>
Milwaukee County Portfolio - Gross	0.87%	1.65%	2.63%
Milwaukee County Portfolio - Net	0.84%	1.61%	2.57%

\* Inception date: 8/1/09

Milwaukee County - Alberts Investment Management Inc.  
Holdings By Category  
6/30/2010

61-0769-05-1	MILWAUKEE COUNTY CUST ALBERTS	June 30, 2010			
Holdings View	Percent of Market Value	Positions As Of	Trade Date		
Category Type	All Holdings	By Security			
Description	Security	Price	Quantity	Market Value	% of MV
<b>Cash Equivalents</b>					
MARSHALL GOVT MONEY MARKET FDI #604 (PRINCIPAL)	MGNXX		\$1.00 3,929,514.420	\$3,929,514.42	4.95%
<b>Total Cash Equivalents</b>				<b>\$3,929,514.42</b>	<b>4.95%</b>
<b>Fixed Income</b>					
<b>Bonds</b>					
<b>U.S. Governments</b>					
US TREASURY NOTE 0.875% DTD 03/31/2009 DUE 03/31/2011	912828-KH-2	\$100.44	8,676,000.000	\$8,713,957.50	10.98%
US TREASURY NOTE 0.875% DTD 05/31/2009 DUE 05/31/2011	912828-KU-3	\$100.49	2,870,000.000	\$2,884,134.75	3.64%
US TREASURY NOTE 2.000% DTD 09/30/08 DUE 09/30/2010	912828-JL-5	\$100.46	3,500,000.000	\$3,516,135.00	4.43%
US TREASURY NOTE 4.375% DTD 12/15/05 DUE 12/15/2010	912828-EQ-9	\$101.91	950,000.000	\$968,149.75	1.22%
US TREASURY NOTE 4.625% DTD 02/28/07 DUE 02/29/2012	912828-GK-0	\$106.82	1,500,000.000	\$1,602,307.50	2.02%
US TREASURY NOTE 4.625% DTD 12/31/2006 DUE 12/31/2011	912828-GC-8	\$106.25	790,000.000	\$839,375.00	1.06%
<b>Total U.S. Governments</b>				<b>\$18,524,059.50</b>	<b>23.35%</b>
<b>Federal Agencies</b>					
FEDERAL HOME LN MTG CORP MEDIUM TERM NTS 1.80% DTD 02/25/2010 DUE 02/25/2013 CALLABLE	3128X9-ZK-9	\$100.73	6,000,000.000	\$6,043,680.00	7.62%
FEDERAL HOME LN MTG CORP REFERENCE NTS 1.625% DTD 03/27/2009 DUE 04/26/2011	3137EA-BZ-1	\$101.02	995,000.000	\$1,005,104.23	1.27%
FEDERAL HOME LN MTG CORP REFERENCE NTS 4.75% DTD 03/02/2007 DUE 03/05/2012	3137EA-AR-0	\$106.88	2,400,000.000	\$2,565,000.00	3.23%
FEDERAL HOME LN MTG CORP REFERENCE NTS 5.25% DTD 06/08/2006 DUE 07/18/2011	3137EA-AF-6	\$105.06	3,900,000.000	\$4,097,437.50	5.17%
FEDERAL HOME LOAN BKS CONS BDS 1.625% DTD 06/12/2009 DUE 07/27/2011	3133XT-XH-4	\$101.22	1,585,000.000	\$1,604,321.15	2.02%
FEDERAL HOME LOAN BKS CONS BDS 3.625% DTD 09/15/2008 DUE 10/18/2013	3133XS-AE-8	\$107.20	755,000.000	\$809,382.65	1.02%

Milwaukee County - Alberts Investment Management Inc.  
Holdings By Category  
6/30/2010

FEDERAL NATL MTG ASSN GTD REMIC PASSTHRU TR REMIC TR SER 2006 27 CL BF FLTG RATE DTD 03/25/2006 DUE 04/25/2036	31395B-ZF-3	\$99.47	691,298.920	\$687,646.86	0.87%
FEDERAL NATL MTG ASSN 1.375% DTD 04/09/2009 DUE 04/28/2011	31398A-WQ-1	\$100.81	800,000.000	\$806,500.00	1.02%
FEDERAL NATL MTG ASSN 1.875% DTD 04/03/2009 DUE 04/20/2012	31398A-WK-4	\$102.14	920,000.000	\$939,697.20	1.18%
FEDERAL NATL MTG ASSN 2.00% DTD 01/29/2010 DUE 04/29/2013 NON-CALLABLE	3136FJ-X6-3	\$100.47	5,000,000.000	\$5,023,450.00	6.33%
FEDERAL NATL MTG ASSN 3.875% DTD 06/06/2008 DUE 07/12/2013	31398A-SD-5	\$108.42	3,900,000.000	\$4,228,458.00	5.33%
FEDERAL NATL MTG ASSN STEP CPN DTD 01/22/2010 DUE 01/22/2013 CALLABLE	31398A-E3-2	\$100.03	5,000,000.000	\$5,001,550.00	6.30%
GNMA II PASSTHRU CTF POOL #081902 ARM RATE DTD 06/01/2007 DUE 06/20/2037 IPD19	36225E-DG-4	\$103.19	291,669.440	\$300,973.70	0.38%
<b>Total Federal Agencies</b>				<b>\$33,113,201.29</b>	<b>41.74%</b>
<b>Financials</b>					
AMERICAN EXPRESS CENTURION BK CTF DEP 2.35% DTD 10/28/2009 DUE 10/29/2012 NON-CALLABLE	02586T-U9-3	\$101.47	240,000.000	\$243,523.20	0.31%
BANK OF AMER CRP BAC 3.125% DTD 12/04/2008 DUE 06/15/2012	06050B-AA-9	\$104.43	765,000.000	\$798,912.45	1.01%
BANK OF AMERICA FDIC GTD TLGP GTD NT 2.10% DTD 01/30/2009 DUE 04/30/2012 NON-CALLABLE	06050B-AG-6	\$102.41	850,000.000	\$870,451.00	1.10%
BARCLAYS BK DEL RETAIL CTF DEP 2.45% DTD 10/28/2009 DUE 10/29/2012	06740K-CH-8	\$101.69	240,000.000	\$244,065.60	0.31%
CITIBANK N A FDIC TLGP GTD NT 1.875% DTD 05/07/2009 DUE 05/07/2012 NON-CALLABLE	17290C-AB-2	\$102.07	525,000.000	\$535,857.00	0.68%
CITIGROUP FDG INC FDIC GTD TLGP NT 2.125% DTD 06/30/2009 DUE 07/12/2012	17313Y-AG-6	\$102.59	3,000,000.000	\$3,077,760.00	3.88%
CITIGROUP FDG INC FDIC TLGP GTD SR NT 2.00% DTD 03/30/2009 DUE 03/30/2012 NON-CALLABLE	17314A-AF-9	\$102.08	1,000,000.000	\$1,020,790.00	1.29%
FORD CR AUTO OWNER TR 2006- B NT CL A 5.25% DTD 08/29/2006 DUE 09/15/2011	34528A-AE-9	\$101.01	246,278.490	\$248,768.27	0.31%

Milwaukee County - Alberts Investment Management Inc.  
Holdings By Category  
6/30/2010

GE MONEY BK SALT LAKE CITY UTA CTF DEP 2.40% DTD 10/30/2009 DUE 10/30/2012 NON-CALLABLE	36159U-KC-9	\$101.58	240,000.000	\$243,792.00	0.31%
GENERAL ELEC CAP CORP MEDIUM TERM SR NTS TRANCHE # TR 00013 2.25% DTD 03/12/2009 DUE 03/12/2012	36967H-AN-7	\$102.60	1,570,000.000	\$1,610,757.20	2.03%
JPMORGAN CHASE & CO FDIC TLGP GTD NT 2.125% DTD 12/22/2008 DUE 06/22/2012 NON-CALLABLE	481247-AE-4	\$102.58	5,000,000.000	\$5,129,200.00	6.47%
MORGAN STANLEY FDIC GTD TLGP GTD NT 1.95% DTD 01/20/2009 DUE 06/20/2012 NON-CALLABLE	61757U-AH-3	\$102.22	4,000,000.000	\$4,088,840.00	5.15%
MORGAN STANLEY FDIC GTD TLGP GTD NT 2.25% DTD 03/13/2009 DUE 03/13/2012 NON-CALLABLE	61757U-AP-5	\$102.60	1,425,000.000	\$1,462,021.50	1.84%
USAA AUTO OWNER TRUST 5.36% DTD 08/22/2006 DUE 06/15/2012 WELLS FARGO & CO FDIC GTD TLGP GTD NT 2.125% DTD 03/30/2009 DUE 06/15/2012 NON-CALLABLE	903279-AD-9	\$100.20	306,668.100	\$307,276.99	0.39%
	949744-AC-0	\$102.69	650,000.000	\$667,465.50	0.84%
<b>Total Financials</b>				<b>\$20,549,480.71</b>	<b>25.90%</b>
<b>Municipals</b>					
EL PASO TEX TAXABLE GO PENSION BDS TAXABLE 3.61% DTD 06/25/2009 DUE 08/15/2014 NON-CALLABLE	283734-MB-4	\$103.81	600,000.000	\$622,854.00	0.79%
INDIANA BD BK REV PUR FDG BDS TAXABLE 3.95% DTD 04/01/2009 DUE 02/01/2013 NON-CALLABLE	454624-YM-3	\$104.58	565,000.000	\$590,860.05	0.74%
<b>Total Municipals</b>				<b>\$1,213,714.05</b>	<b>1.53%</b>
<b>Total Bonds</b>				<b>\$73,400,455.55</b>	<b>92.53%</b>
<b>Time Deposits</b>					
NORTH MILWAUKEE STATE BANK C/D 1.65% WI DTD 10/01/09 DUE 09/29/2011	CD1090-63-7	\$100.00	2,000,000.000	\$2,000,000.00	2.52%
<b>Total Time Deposits</b>				<b>\$2,000,000.00</b>	<b>2.52%</b>
<b>Total Fixed Income</b>				<b>\$75,400,455.55</b>	<b>95.05%</b>
<b>Total</b>				<b>\$79,329,969.97</b>	<b>100.00%</b>

From the Committee on Finance and Audit

File No. 10-16(a)(g)  
(Journal, December 17, 2009)

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(ITEM 3) Reference file established by the County Board Chairman, relative to DAS county-wide and Departmental financial reports, by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Treasurer, titled "Notice of projected revenue surplus of \$450,000 in revenues (Account No. 1213) due to one-time collection", dated July 20, 2010, (vote 7-0).

H:\Shared\COMCLERK\Committees\2010\SepF&A\Resolutions\10-16ag Treasurer surplus revenue.doc



Daniel J. Diliberti  
Milwaukee County Treasurer

DATE: July 20, 2010  
TO: Elizabeth M. Coggs, Chair, Finance and Audit Committee  
FROM: Daniel J. Diliberti, Milwaukee County Treasurer  
RE: Notice of projected revenue surplus of \$450,000 in revenues  
(Account No. 1213) due to one-time collection by this office

Per the Finance and Audit Committee directive, county departments are to notify the Finance Committee of any projected deficits or surpluses in departmental accounts.

This report is being sent to the Finance Committee as notification of an estimated projected surplus of \$450,000 in our budget revenue account # 1213: Interest and Penalty Payments for Delinquent Taxes. This is a unique, one-time payment of delinquent taxes on the Cudahy Iceport property previously owned by Sportsites LCC.

The revenues generated by this office are a direct result of our departmental strategic plan that, with the support of the County Board and DAS, includes steps to continually improve our delinquent taxes collection process. Those improvements include: refined collection processes; improved staff training, land records software upgrades; development of on-line access to property tax records and on-line payment capability (with the able assistance of IMSD); initiating quarterly billing statements; and systematizing the foreclosure process (with the assistance of the Office of Corporation Counsel). The implementation of these changes has allowed us to intensify our delinquent property tax collections efforts without adding any new staff.

Over the last five years, these improvements have resulted in tangible benefits for Milwaukee County. Revenue collections have nearly tripled. Interest and penalty collections have increased 276% - from \$1,171, 574 in 2004 to an estimated \$3,233,000 in 2009. And we have achieved this increased productivity with no additional personnel.

Accelerated delinquent tax collection efforts play a critical role in meeting our department's and the county's overall budgeted revenue projections. While this office has taken the mandatory four furlough days, we have historically received support from both the county board and the county executive offices to be exempt from the remainder of the furlough days in order to avoid diminishing our revenue collection efforts. This exemption has paid off, in dollars and cents. I would commend our office staff for demonstrated professionalism, teamwork and dedication under stressful conditions.

Org Unit 3090.....Account #1213.....\$2,783,000 (Budgeted Amount).....\$3,233,000 (Projected)

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(ITEM 4) Reference file established by the County Board Chairman, relative to DAS county-wide and Departmental financial reports, by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Interim Director, Department of Health & Human Services, titled "Anticipated receipt of revenue in excess of the amount budgeted in the 2010 Adopted Budget", dated September 10, 2010, (vote 7-0).

**COUNTY OF MILWAUKEE**  
Inter-Office Communication

**DATE:** September 10, 2010

**TO:** Supervisor Elizabeth Coggs, Chairperson, Committee on Finance and Audit

**FROM:** Geri Lyday, Interim Director, Department of Health and Human Services  
*Prepared by: Eric Meaux, Administrator, Delinquency & Court Services Division*

**SUBJECT: REPORT FROM THE INTERIM DIRECTOR, DEPARTMENT OF HEALTH AND HUMAN SERVICES, REGARDING ANTICIPATED RECEIPT OF REVENUES IN EXCESS OF THE AMOUNT BUDGETED IN THE 2010 ADOPTED BUDGET**

**Issue**

County Board Resolution File No. 86-666 requires all department heads to “report to the Finance Committee, on a quarterly basis, revenues received from sources not anticipated in the budget in excess of \$100,000, or revenues received that exceed budget estimates by that amount.”

The 2010 budget for the Department of Health and Human Services (DHHS) included a budget for “Youth Aids Revenue” in the amount of \$12,360,950. As part of an on-going review of State Correctional expenditures, the Department anticipates a reduction in expenses in the range of \$4.4 million to \$5.3 million. This reduction in expenses, based on the most recent available information, would result in a commensurate increase in Youth Aids Revenue. The DHHS 1<sup>st</sup> Quarter Revenue and Expenditure Report reflected a \$2.0 million projected surplus. Per File No. 86-666, this memorandum reports and explains this surplus.

**Background**

Under current law, counties are financially responsible for the costs of juvenile delinquency-related services, except for (1) youth adjudicated as serious juvenile offenders and (2) youth under original jurisdiction of or waived to adult court. In general, these costs include providing the courts with the services necessary for investigating and supervising cases within the jurisdiction of the Juvenile Justice Code.

A significant source of funding for these costs is State Aid. As presented by the State Legislative Fiscal Bureau, “The community youth and family aids program, [commonly known as Youth Aids], provides each county with an annual allocation of state and federal funds from which a county may pay for juvenile delinquency-related services, including out-of-home placements and non-residential, community-based services for juveniles. Counties may supplement their expenditures on juvenile delinquency-related services with funding from other sources, including community aids, other state aids to counties, county tax revenues and special grant monies. The state bills each county for the cost of its juveniles placed in the state's juvenile correctional facilities (with the exceptions noted above) and for subsequent community placements and

programming for juveniles returning to the community following placement in a juvenile correctional facility. Charges are based on statutory daily rates established under each biennial budget. Daily rates for a given year are calculated by dividing the total budget for each type of care by the projected number of juveniles expected to receive that type of care in a year, divided by 365 days.”<sup>1</sup>

State statutes require counties to pay the State for the cost of juveniles placed into State custody at rates determined by the legislature through the State budget process. In general, if state placements decrease and costs remain flat, then Youth Aids revenue remaining to support community-based services would increase. Since the State pays itself first from a county’s Youth Aids allocation, decreased State charges result in a surplus in Youth Aids revenue in the Department of Health and Human Services (DHHS) compared to the adopted budget.

### **Youth Aids Revenue - 2010 State Budget Compared to County Adopted Budget**

The 2010 Adopted County Budget assumed that Milwaukee County would receive \$37,106,071 of Youth Aids revenue, excluding Corrective Sanctions revenue. As noted in the January 7, 2010 report to the County Board, the actual DOC 2010 allocation for Milwaukee County is \$37,629,615, again excluding Corrective Sanctions, which represents a revenue increase for DHHS of \$523,544. Adding the estimated 2010 Corrective Sanctions revenue of \$1,260,783 brings the total 2010 Youth Aids revenue to \$38,242,772.

### **Juvenile Justice Costs – State Charges and Community Programs**

In the 2010 Adopted County Budget, the \$38.2 million of Youth Aids revenue was split into \$25,887,822 projected for State Correctional Charges and the remaining balance of \$12,360,950 was included in the operating budget of the DHHS Delinquency and Court Services Division to support juvenile delinquency-related services.

The 2010 Adopted County Budget projected a daily average of 218 Milwaukee County juveniles in State Juvenile Correctional Institutions (JCI’s) and 19 juveniles in Child Caring Institutions (CCI’s), for a total of 237 juveniles. These two particular services account for 92% (\$23.7 million of the total \$25.8 million) of the budget for State Charges. Refer to Table 1 for a listing of all State Correctional services.

This projection of State correctional costs uses the daily rates charged to counties in the 2009-11 State budget. Refer to Table 1 below.

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<sup>1</sup> Informational Paper 58, Juvenile Justice and Youth Aids Program, Wisconsin Legislative Fiscal Bureau, January 2009.

Table 1.

State Correctional Services and Daily Rates

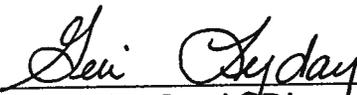
	Jul 2006 - Jun 2007	Jul 2007 - Jun 2008	Jul 2008 - Jun 2009	Jul 2009 - Jun 2010	Jul 2010 - Jun 2011
Juvenile Correctional Institution	\$ 209	\$ 259	\$ 268	\$ 270	\$ 275
Child Caring Institution	\$ 244	\$ 277	\$ 296	\$ 298	\$ 313
Group Home	\$ 163	\$ 165	\$ 172	\$ 190	\$ 200
Corrective Sanctions	\$ 82	\$ 99	\$ 101	\$ 101	\$ 103
Aftercare	\$ 33	\$ 35	\$ 37	\$ 40	\$ 41

**Factors Impacting Actual Versus Projected Costs**

While not inclusive, the actual number of new youth committed, the age of new youth committed, the daily rate and the utilization of secure correctional care versus other services, impact the actual State correctional expenses incurred by the County. Since 2009, DHHS has experienced a shift in the overall placement status of youth. The percent of overall days of care occurring within the secure facility (JCI) was 85% (2007) and 84% (2008). In 2009, DHHS began some exploratory initiatives that directed resources toward this issue. In addition, the Division of Juvenile Corrections began a series of evaluations and trainings aimed at improving service delivery outcomes. Currently DHHS has a contract in place that assists with monitoring correctional youth and has the ability to direct service supports as necessary. The Division was successful in the award of a federal Bureau of Justice reentry grant targeting youth State correctional youth. These efforts continue to improve our collaborative opportunities with the State. The percent of overall days of care occurring within the secure facility (JCI) has decreased and remained steady at 76% (2009) and is currently 77% (2010).

**Recommendation**

This is an informational report required by Section 56.02 of the Milwaukee County Ordinances. No action is necessary.

  
 Geri Lyday, Interim Director  
 Department of Health and Human Services

- cc: County Executive Scott Walker  
 Cynthia Archer, Director, DAS  
 Antionette Thomas-Bailey, Fiscal & Management Analyst, DAS  
 Carol Mueller, Committee Clerk, County Board Staff  
 Steve Cady, Analyst, County Board Staff

From the Committee on Finance and Audit

File No. 10-16(a)(i)  
(Journal, December 17, 2009)

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(ITEM 5) Reference file established by the County Board Chairman, relative to DAS county-wide and Departmental financial reports, by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Fiscal & Budget Administrator and Controller, titled "2010 Fiscal Report as of June 30, 2010-Updated", dated September 17, 2010, (vote 7-0).

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**COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION**

DATE : September 17, 2010  
TO : Supervisor Lee Holloway, Chairman, Milwaukee County Board of Supervisors  
FROM : Scott B. Manske, Controller  
SUBJECT: 2010 Fiscal Report as of June 30, 2010 - **Updated**

**Policy Issue**

County Ordinance 56.02(2) requires the Department of Administrative Services (DAS) to “report, on a quarterly basis or in a manner determined to be most useful and effective, on the financial condition of the county, which report shall identify all major variances from the adopted budget on a department-by-department basis.” To comply with this ordinance, DAS provides a projection of year-end financial results on a quarterly basis to the County Board and County Executive. This fiscal report is a projection of 2010 financial results based on second quarter financial data. The County’s 2010 fiscal year ends on December 31, 2010. For each fiscal year, the County prepares a balanced budget in which revenues equal expenditures. Therefore, a report of surplus or deficit for the County represents actual results that are in total above (surplus) or below (deficit) net budgeted funds.

Also on the September Finance and Audit Committee Agenda is the Second Quarter Fiscal Report. The Second Quarter Fiscal Report reflects financial projections of departments as of June 30, 2010. Since the County Board did not meet during August 2010, that report was not available to this Committee until September 2010. This report is an update to the fiscal projections shown in that report that has occurred since June 30, 2010. All departments do not report updates to us, so this is only a reflection of known changes since June 30<sup>th</sup>.

**Year-end Projection**

Based on additional information received from departments since June 2010, Milwaukee County is projecting a year-end 2010 deficit of \$(7.1) million. This represents a \$1.2 million decrease in the projected shortfall from the second quarter’s projection of \$(8.3) million.

The projected deficit of \$(7.1) million assumes that the full amount appropriated in the contingency fund of \$5.6 million is applied to offset departmental and non-departmental deficits. To the extent the contingency fund is used for other purposes during the year, the projected deficit will increase.

The major changes from Second Quarter 2010 fiscal report to this updated report are as follows:

- Increased Youth Aids revenue for DHHS of \$3.0 million based on reduced average caseload for State Juvenile Corrections.
- Increased revenue deficit for the Zoological Department based on seven months of activity resulting in a net deficit of (\$0.5 million.)
- Increased revenue deficit for the parking structure at O’Donnell Park of (\$0.4 million).

- Reduced deficit of \$1.0 million in fringe benefits due to improvement in health care costs as compared to the first four months of 2010.
- Reduced Delinquent Tax Reserve funding since the tax settlement payment for unpaid property taxes to municipalities was virtually unchanged from the prior year.
- Increased State Shared Revenue deficit of (\$1.1 million) for the property tax reimbursement related to a power plant in Milwaukee County that did not begin operation until 2010.
- Updated lease payment estimate for Doyne Hospital, which is only a surplus of \$2.4 million.

The following attachments provide further detail:

- Attachment A: provides the projected surpluses and deficits in excess of \$100,000 by department with a comparison to the June 30<sup>th</sup> 2<sup>nd</sup> Quarter Fiscal Report.
- Attachment B: provides narrative explanations of the major changes from the amounts reported in the Second Quarter 2010 fiscal report.
- Attachment C: provides the projected surplus or deficit for 2010 by agency.

### **2010 Pension Contribution**

The 2010 Budget includes an appropriation of \$31.3 million for contributions toward the County's Employee Retirement System (ERS) plan. Based upon the most recent actuarial report for ERS, the County is only required to contribute \$27.6 million to the pension plan in 2010. The required contribution is \$3.7 million less than the amount budgeted. The County Board and County Executive approved the original appropriation to ERS. Therefore, the County Board must approve any change to the pension contribution from the amount included in the budget. For purposes of the attached projections we did not change the budgeted contribution of \$31.3 million for 2010. In the event that the County Executive and the County Board reduce the pension payment to a lower contribution, the 2010 projected deficit could be reduced by \$3.7 million. The resulting deficit projection would be reduced from (\$7.1) million to (\$3.4) million. A separate report on the 2010 pension contribution will be submitted to the County Board at a future date.

### **Org Unit 1972 – Wage and Benefit Modification Account**

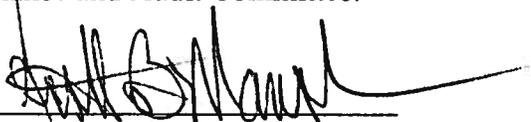
The 2010 budget included \$20 million of expenditure savings that were to come from modifications to employee salaries and fringe benefits. The expenditure savings, which were originally budgeted in Org Unit 1972 – Wage and Benefit Modification Account, were allocated to departments in the final 2010 budget. The savings were to come from twelve furlough days, and wage and benefit modifications for both union (represented) and non-represented employees. As of this report, non-represented employees and three unions have agreed to the wage and benefit modifications included in Org Unit 1972. This means that the budgeted savings related to the five unions that have not settled will create an expenditure deficit in many departments. To offset these deficits, an additional ten furlough days were allocated to the unions who had not completed contract negotiations and approximately 67 County employees were laid off from County employment during March.

Departments have a combination of both expenditure deficits resulting from open union negotiations and added savings generated from the additional furlough days. DAS-Fiscal provided each department with the estimated expenditure deficit resulting from unsettled union contracts and the estimated savings related to the ten additional furlough days. If the projected deficit exceeded savings from the additional furlough days, departments may report a deficit in their salaries due solely to the Org Unit 1972 budget.

The Org Unit 1972 deficit related to fringe benefit savings that have not been achieved through labor negotiations has been accounted for centrally and is shown in the attached projections as a non-departmental deficit.

### **Committee Action**

This is an informational report only. This report should be referred to and reviewed by the Finance and Audit Committee.

  
\_\_\_\_\_  
Scott B. Manske  
Controller

### **Attachments**

cc: Scott Walker, County Executive  
Supervisor Elizabeth Coggs, Chairman, Finance and Audit Committee  
Finance and Audit Committee  
Cynthia Archer, Director, Department of Administrative Services  
Steve Kreklow, Fiscal and Budget Administrator  
Stephen Cady, Director of Research, County Board  
Department Heads

**Milwaukee County**

**Projection for 2010 - Updated based on Activity after June 30, 2010**

<u>Dept</u>	<u>Department Name</u>	<u>June 30, 2010</u>	<u>Change</u>	<u>Updated June 30, 2010</u>
1150	DAS - Risk Management	\$ (386,273)	-	\$ (386,273)
1160	Information Management Services Division	131,516	-	131,516
1188	DAS - Employee Benefits	103,462	-	103,462
2000	Combined Courts	(1,263,000)	-	(1,263,000)
2430	Child Support Enforcement	301,637	-	301,637
3400	Register of Deeds	106,656	-	106,656
4000	Sheriff's Office	132,669	-	132,669
4900	Medical Examiner	(246,156)	-	(246,156)
5300	DTPW - Fleet Services	376,456	-	376,456
5600	DTPW - Transit/Paratransit System	(898,753)	-	(898,753)
5800	DTPW - Administration	201,677	-	201,677
6300	Behavioral Health Division	(4,844,611)	-	(4,844,611) (3)
7900	Department on Aging	369,000	-	369,000
7990	Department of Family Care (CMO)	3,026,858	-	3,026,858
7990	Contribution to Family Care Reserve	<b>(3,026,858)</b>	-	<b>(3,026,858)</b>
8000	Department of Health and Human Services	2,018,106	3,000,000	5,018,106
9000	Department of Parks, Recreation and Culture	(250,000)	-	(250,000) (4)
	O'Donnell Parking Facility	(250,000)	(450,000)	(700,000) (2)
9500	Zoological Department	(52,544)	(447,208)	(499,752)
	Other	(229,170)	772,723	543,553
	<b>Departmental Total</b>	<b>(4,679,328)</b>	<b>2,875,515</b>	<b>(1,803,813)</b>
1933	Land Sales	-	-	-
1945	Unallocated Contingency Fund	5,600,000	-	5,600,000
1950	Fringe Benefits	(2,250,000)	1,250,000	(1,000,000)
1972	Wage and Benefit Modifications	(7,192,000)	-	(7,192,000) (1)
1991	Reserve for Delinquent Property Taxes	(800,000)	800,000	-
1993	State Shared Revenue	-	(1,101,333)	(1,101,333)
1996	Sales Tax Revenue	(3,500,000)	(1,000,000)	(4,500,000)
9960	Debt Service Fund/Froedtert Lease Payment	4,517,000	(1,600,000)	2,917,000
	<b>Non-Departmental Total</b>	<b>(3,625,000)</b>	<b>(1,651,333)</b>	<b>(5,276,333)</b>
	<b><u>Projected County Surplus (Deficit)</u></b>	<b><u>\$ (8,304,328)</u></b>	<b><u>\$ 1,224,182</u></b>	<b><u>\$ (7,080,146)</u></b>

(1) This amount is only related to the estimated fringe benefit savings budgeted for in Org 1972. It does not include savings related to wages and overtime.

(2) The current projections do not include estimated costs related to the O'Donnell Park parking structure inspections, repairs, or other improvements. This projection is an estimate of lost revenue net of expenditure reductions.

(3) The current projections include an estimated cost of \$531,000 for responding to the Statement of Deficiency, which includes staff time and repair costs.

(4) The current projections do not include estimated costs related to recent flooding damage to the County's parks, facilities, or other infrastructure.

## **Description of Significant Changes in Surplus and Deficit Projections Second Quarter 2010:**

Note: If a department's projected deficit related to the Org 1972 salary and FICA budget exceeds the estimated savings from the ten additional furlough days, the deficit is indicated in the departmental narrative. If an amount is not provided, it means the department's projected savings for the additional furlough days exceeds the Org 1972 salary and FICA deficit.

### **Departmental Surpluses and Deficits:**

#### **Department of Health and Human Services (Org 8000)**

***Updated \$5.0 million surplus***

***Previously Reported \$2.0 million surplus***

*The budget for DHHS includes a net tax levy deficit of \$252,000 related to the Org 1972 salary and FICA deficit. If this deficit were excluded, the reported surplus for DHHS would increase by a similar amount.*

DHHS is projecting a surplus of \$5.0 million for 2010. Revenue from Youth Aids is expected to exceed the budget by \$5.5 million due to a reduction in the number of juveniles being placed in State institutions. Recent projections for Youth Aids show a decline in the caseload from 216 on average in 2009 to a 177 average in 2010. This is an increase from the second quarter projection in DHHS revenues of \$3.0 million. The Youth Aids surplus is offset by a projected deficit of \$388,000 due to additional overtime costs that will not be covered by grant funding. In addition, DHHS is projecting a deficit of \$132,000 in the Intensive Treatment Program due to costs associated with three developmentally disabled individuals being cared for in State facilities.

#### **O'Donnell Parking Revenue (Org 9000)**

***(\$0.7 million deficit)***

***Previously Reported (\$0.3 million deficit)***

Due to the closure of the O'Donnell parking structure, the Parks Department will not meet the revenue budget for parking fees in 2010. The lost revenue will be partially offset by reduced expenditures related to the day-to-day operation of the parking structure. This estimate assumes a closure of the facility for the remainder of the year. Parking revenue will be lower than budget by \$900,000.

#### **Zoological Department (Org 9500)**

***Updated (\$0.5 million deficit)***

***Previously Reported (\$0.0 breakeven)***

The Zoo is projecting a deficit of \$499,000 due to a projected revenue deficit of \$1.8 million offset by an expenditure surplus of \$1.3 million. Based upon actual revenues for the first seven months of 2010, it is anticipated that revenues will deficit by approximately \$1.8 million. The Zoo will manage its expenditures to achieve savings of \$1.3 million.

### **Non - Departmental Surpluses and Deficits:**

#### **Unallocated Contingency Fund (Org 1945)**

***No Change \$5.6 million surplus***

The unallocated contingency account was appropriated at \$5.8 million. The contingency funding was reduced in the first quarter when the County Board approved a fund transfer to allocate \$200,000 towards a stabilization study for the Estabrook Dam. The unallocated contingency fund is considered available to offset the projected deficits of both departments and non-departmental accounts.

**Fringe Benefits (Org 1950)**

***Updated (\$1.0 million deficit)***

***Previously Reported (\$2.3 million deficit)***

Based on analysis performed by the County's actuarial services firm, and the County Controller, fringe benefit costs are currently projected to deficit by \$1.0 million for 2010. Average weekly payments for health care claims have leveled off in recent weeks after experiencing significant increases during the first few months of the year. Health care claims costs for 2010 are currently projected to increase in the range of 10% - 14% over the prior year. Health care projections based on claims costs in the first two quarters indicated an 18% to 22% increase over the prior year was likely. Besides expected inflationary increases in health care expenses, analysis from the actuary showed an increase in the large patient claims after large claims had dropped dramatically in 2009. Pharmacy costs are continuing to increase from 8% to 12% over prior year costs. The County will continue to work closely with the actuary to monitor both health and pension costs. As indicated in the cover memo, no adjustment has been made for a change in pension contributions based on the January 1, 2010 actuarial report.

The budgeted costs for health care and pension are in Org Unit 1950 – Fringe Benefits. The budget in Org Unit 1950 represents the costs for health and pension prior to Org Unit 1972 costs reductions for these benefits. The Org Unit 1950 first quarter analysis was based on the costs in this Org Unit before considering the changes in org unit 1972 – Wage and Benefit Modifications.

**Delinquent Property Tax Reserve (Org 1991)**

***Updated (\$0.0 breakeven)***

***Previously Reported (\$0.8 million) deficit***

With the exception of the City of Milwaukee, the County assumes the responsibility for the collection of delinquent real property taxes for all of the other taxing jurisdictions within Milwaukee County (schools, cities, towns, etc.). For the second quarter fiscal report, the anticipated increase in reserves for delinquent tax collections was estimated at \$800,000. This estimate was based upon projected increase in delinquent tax payments to municipalities of approximately 10 percent. The actual 2010 delinquent tax payments to municipalities only increased by 2.8 percent. As a result, there is no projected deficit related to delinquent property taxes.

**State Shared Revenue (Org 1993)**

***(\$1.1 million deficit)***

***Previously Reported (\$0.0 breakeven)***

In early August, the County received a notice from the State that the utility component of its shared revenue payment for 2010 will be reduced by \$1.1 million due the fact that the Elm Road Facility located in Oak Creek did not become operational until February 2010. In late 2009, the State had notified the County of an increase to our 2010 utility payment based on a scheduled operational date prior to December 31, 2009. As a result of that notification, the 2010 shared revenue budget was increased. Discussion with the State has indicated that there will not be any adjustments to regular State Shared Revenue as a result of the reduction in the Shared Revenue Utility component.

**Sales Taxes (Org 1996)**

***(\$4.5 million deficit)***

***Previously reported (\$3.5 million deficit)***

DAS-Fiscal is projecting a deficit of \$4.5 million in sales tax revenue for 2010. To date, the County has received six months of sales tax payments for 2010. These payments are 5.7% lower than the anticipated revenues for this period. The payments are currently tracking very close to 2009 actual payments. Payments for the remainder of the year would have to average \$5.4 million per month to hold to the current projected deficit. The Department of Administrative Services will continue to monitor sales tax revenue for 2010.

**Debt Service Fund (Org 9960)**

***\$2.9 million surplus***

*Previously Reported \$4.5 million surplus*

The 2010 Debt Service budget includes \$3.9 million in revenue from the Froedtert Memorial Lutheran Hospital (FMLH) lease payment. The lease payment is paid based on the fiscal year close of FMLH, which is June 30, 2010. Based upon discussions in August with representatives of FMLH, the 2010 lease payment to be made to the County in November 2010, is expected to exceed the \$3.9 million budgeted amount by approximately \$2.4 million. The 2010 lease payment is based upon an agreed upon formula from 1995, when Milwaukee County's Doyne Hospital was closed and FMLH assumed many of Doyne's operations.

The 2010 budget included estimated debt service payments for general obligation bonds issued in 2009 after the budget was adopted. The actual debt service payments are \$517,000 lower than the amount budgeted resulting in an expenditure surplus.

UPDATED

Attachment C

Annual Fiscal Report of Surplus/Deficit as of June 30, 2010 - UPDATED

	2010 Projected Revenues	2010 Budgeted Net Revenues	Revenue Variance	% Variance	2010 Projected Expenditures	2010 Budgeted Net Expenditures	Expense Variance	% Variance	Surplus (Deficit)	
<b>Legislative, Executive &amp; Staff</b>										
1000	County Board	-	7,500	(7,500)	-100%	6,658,983	6,726,515	67,532	1%	60,032
1001	Department of Audit	-	-	-	N/A	2,611,584	2,681,432	69,848	3%	69,848
1040	Disadv Bus Development	216,200	270,000	(53,800)	-20%	1,060,620	1,085,499	24,879	2%	(28,921)
	County Executive									
1011	General Office	750	-	750	N/A	1,273,032	1,317,032	44,000	3%	44,750
1021	Veterans Service	13,000	13,000	-	0%	309,407	309,407	-	0%	-
1110	Civil Service Commission	-	-	-	N/A	53,281	53,281	-	0%	-
1120	Personnel Review Board	-	-	-	N/A	221,382	221,382	-	0%	-
1130	Corporation Counsel	175,000	175,000	-	0%	1,750,857	1,750,857	-	0%	-
	Dept of Administrative Services									
1019	Persons with Disabilities	192,000	170,500	21,500	13%	1,015,115	1,067,133	52,018	5%	7,018
1140	Human Resources	6,110	6,200	(90)	-1%	2,354,329	2,366,410	12,081	1%	11,991
1188	Employee Benefits	1,711,792	1,703,243	8,549	1%	2,428,248	2,523,161	94,913	4%	103,462
1135	Labor Relations	800	-	800	N/A	550,857	550,872	15	0%	815
1150	Risk Management	7,481,237	7,499,582	(18,345)	0%	7,875,021	7,507,093	(367,928)	-5%	(386,273)
1151	Fiscal Affairs Division	25,000	76,000	(51,000)	-67%	4,097,811	4,159,664	61,853	1%	10,853
1152	Procurement	-	-	-	N/A	784,378	828,117	43,739	5%	43,739
1160	Information Management Services	15,994,606	15,547,615	446,991	3%	17,699,048	17,383,573	(315,475)	-2%	131,516
1190	Community and Housing Devel	-	-	-	N/A	-	-	-	N/A	-
3010	Election Commission	50,600	40,500	10,100	25%	1,070,682	1,074,707	4,025	0%	14,125
3090	County Treasurer	2,790,059	2,786,624	3,435	0%	1,611,184	1,599,839	(11,345)	-1%	(7,910)
3270	County Clerk	512,350	512,350	-	0%	797,344	797,344	-	0%	-
3400	Register of Deeds	4,282,944	4,027,500	255,444	6%	4,392,497	4,243,709	(148,788)	-4%	106,656
	<b>Total Legislative, Executive &amp; Staff</b>	<b>33,452,448</b>	<b>32,835,614</b>	<b>616,834</b>	<b>2%</b>	<b>58,615,660</b>	<b>58,247,027</b>	<b>(368,633)</b>	<b>-1%</b>	<b>248,201</b>
<b>Courts and Judiciary</b>										
2000	Combined Court Related Operations	11,138,721	10,915,721	223,000	2%	54,468,857	52,982,857	(1,486,000)	-3%	(1,263,000)
2430	Dept. of Child Support Enforcement	20,542,908	20,482,161	60,747	0%	21,631,864	21,872,754	240,890	1%	301,637
	<b>Total Courts and Judiciary</b>	<b>31,681,629</b>	<b>31,397,882</b>	<b>283,747</b>	<b>1%</b>	<b>76,100,721</b>	<b>74,855,611</b>	<b>(1,245,110)</b>	<b>-2%</b>	<b>(961,363)</b>
<b>Public Safety</b>										
4900	Medical Examiner	1,188,245	1,434,808	(246,563)	-17%	4,701,940	4,702,347	407	0%	(246,156)
4000	Sheriff	20,795,302	22,144,013	(1,348,711)	-6%	143,025,901	144,507,281	1,481,380	1%	132,669
4500	Distrcnt Attorney	7,325,091	8,260,234	(935,143)	-11%	19,166,199	20,015,316	849,117	4%	(86,026)
	<b>Total Public Safety</b>	<b>29,308,638</b>	<b>31,839,055</b>	<b>(2,530,417)</b>	<b>-8%</b>	<b>166,894,040</b>	<b>169,224,944</b>	<b>2,330,904</b>	<b>1%</b>	<b>(199,513)</b>
<b>Non-Departmental's</b>										
1937	Potowatami Revenue	3,758,001	4,058,477	(300,476)	-7%	-	-	-	N/A	(300,476)
1945	Contingency	-	-	-	N/A	-	5,600,000	5,600,000	100%	5,600,000
1950	Fringe Benefits	6,177,700	6,177,700	-	0%	7,252,208	6,252,208	(1,000,000)	-16%	(1,000,000)
1972	Wage and Benefit Modifications	-	-	-	N/A	7,192,000	-	(7,192,000)	N/A	(7,192,000)
1991	Property Taxes	263,264,740	263,264,740	-	0%	-	-	-	N/A	-
1993	State Shared Revenue	36,770,868	37,872,201	(1,101,333)	-3%	-	-	-	N/A	(1,101,333)
1996	Sales Taxes	60,862,190	65,362,190	(4,500,000)	-7%	-	-	-	N/A	(4,500,000)
	Other Non-Departmental	20,030,876	20,717,803	(686,927)	-3%	(3,786,680)	(3,442,050)	344,630	-10%	(342,297)
	<b>1900'S Total Non-Departmental</b>	<b>393,428,930</b>	<b>399,715,045</b>	<b>(6,286,115)</b>	<b>-2%</b>	<b>10,657,528</b>	<b>8,410,158</b>	<b>(2,247,370)</b>	<b>-27%</b>	<b>(8,533,485)</b>

	2010 Projected Revenues	2010 Budgeted Net Revenues	Revenue Variance	% Variance	2010 Projected Expenditures	2010 Budgeted Net Expenditures	Expense Variance	% Variance	Surplus (Deficit)	
<b>Public Works &amp; Development</b>										
5040	Airport Division	84,132,637	83,040,851	1,091,786	1%	82,859,385	81,767,599	(1,091,786)	-1%	-
5070	Transportation Services Div	2,032,542	2,210,992	(178,450)	-8%	2,275,397	2,392,706	117,309	5%	(61,141)
5080	Architectural/ Environmental Svc	6,393,782	6,393,782	-	0%	7,581,561	7,593,633	12,072	0%	12,072
5100	Highway Maintenance	17,287,598	17,624,599	(337,001)	-2%	18,249,988	18,587,949	337,961	2%	960
5300	Fleet Management	9,939,691	9,943,691	(4,000)	0%	7,521,617	7,902,073	380,456	5%	376,456
5500	Utility	29,520,625	29,572,869	(52,244)	0%	24,785,016	24,837,260	52,244	0%	-
5600	Transit/Paratransit System	103,821,512	103,840,759	(19,247)	0%	123,853,191	122,973,685	(879,506)	-1%	(898,753)
5700	Public Works Facilities Mngmnt	32,103,956	32,156,200	(52,244)	0%	27,414,727	27,466,971	52,244	0%	-
5800	Public Works Admin Div	2,276,500	2,276,500	-	0%	1,562,475	1,764,152	201,677	11%	201,677
	<b>Total Public Works &amp; Development</b>	<b>287,508,843</b>	<b>287,060,243</b>	<b>448,600</b>	<b>0%</b>	<b>296,103,357</b>	<b>295,286,028</b>	<b>(817,329)</b>	<b>0%</b>	<b>(368,714)</b>
<b>Health &amp; Human Services</b>										
6300	Behavioral Health Division	127,540,694	131,346,449	(3,805,755)	-3%	190,001,827	188,962,971	(1,038,856)	-1%	(4,844,611)
7200	County Health Related Programs	-	-	-	N/A	-	-	-	N/A	-
7900	Department on Aging	16,430,597	16,030,597	400,000	2%	17,778,140	17,747,140	(31,000)	0%	369,000
7990	Department of Family Care (CMO)	260,847,432	257,068,240	3,779,192	1%	258,339,463	257,587,129	(752,334)	0%	3,026,858
8000	Department of Human Services	140,677,161	135,940,729	4,736,432	3%	165,712,082	165,993,756	281,674	0%	5,018,106
	<b>Total Health &amp; Human Services</b>	<b>545,495,884</b>	<b>540,386,015</b>	<b>5,109,869</b>	<b>1%</b>	<b>631,831,512</b>	<b>630,290,996</b>	<b>(1,540,516)</b>	<b>0%</b>	<b>3,569,353</b>
<b>Parks, Recreation &amp; Culture</b>										
9000	Department of Parks	17,703,081	19,473,760	(1,770,679)	-9%	41,974,151	43,494,830	1,520,679	3%	(250,000)
9500	Zoological Department	18,033,842	19,871,768	(1,837,926)	-9%	22,558,682	23,896,856	1,338,174	6%	(499,752)
9700	Milwaukee Public Museum	-	-	-	N/A	3,502,376	3,502,376	-	0%	-
9910	University Extension	121,080	121,080	-	0%	438,268	463,268	25,000	5%	25,000
	<b>Total Parks, Recreation &amp; Culture</b>	<b>35,858,003</b>	<b>39,466,608</b>	<b>(3,608,605)</b>	<b>-9%</b>	<b>68,473,477</b>	<b>71,357,330</b>	<b>2,883,853</b>	<b>4%</b>	<b>(724,752)</b>
9960	Debt Retirement and Interest	9,759,055	7,359,055	2,400,000	33%	66,945,033	67,462,033	517,000	1%	2,917,000
1200-1899	Capital Improvements	361,779,555	361,779,555	-	0%	420,241,578	420,241,578	-	0%	-
<b>Expendable Trusts</b>										
FUND 3	Zoo Trust Funds	1,014,945	1,014,945	-	0%	1,019,211	1,019,211	-	0%	-
FUND 5	Parks Trust Funds	-	-	-	N/A	150,000	150,000	-	0%	-
FUND 6	Office on Handicapped Trust Fund	25,000	25,000	-	0%	25,000	25,000	-	0%	-
FUND 7	Mental Health Complex Trust Funds	35,100	35,100	-	0%	35,100	35,100	-	0%	-
FUND 8	Airport PFC	-	-	-	N/A	-	-	-	N/A	-
FUND 11	Fleet Facilities Reserve Trust	-	-	-	N/A	133,367	-	(133,367)	N/A	(133,367)
	<b>Total Expendable Trusts</b>	<b>1,075,045</b>	<b>1,075,045</b>	<b>-</b>	<b>0%</b>	<b>1,362,678</b>	<b>1,229,311</b>	<b>(133,367)</b>	<b>-11%</b>	<b>(133,367)</b>
	<b>Projected Surplus (Deficit)</b>	<b>1,729,348,030</b>	<b>1,732,914,117</b>	<b>(3,566,087)</b>	<b>0%</b>	<b>1,797,225,584</b>	<b>1,796,605,016</b>	<b>(620,568)</b>	<b>0%</b>	<b>(4,186,655)</b>
	<b>Reserves Expendable Trusts</b>									<b>133,367</b>
	<b>Contribution to Family Care Reserve</b>									<b>(3,026,858)</b>
	<b>Total Projected Surplus (Deficit)</b>									<b>(7,080,146)</b>

From the Committee on Finance and Audit

File No. 10-16(a)(j)  
(Journal, December 17, 2009)

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(ITEM 6) Reference file established by the County Board Chairman, relative to DAS county-wide and Departmental financial reports, by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from Director, Department on Aging, titled "Revenues received that exceed 2010 budget estimates in excess of \$100,000", dated August 26, 2010, (vote 7-0).

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**COUNTY OF MILWAUKEE**

Inter-Office Communication

**Date:** August 26, 2010  
**To:** Supervisor Elizabeth Coggs, Chair, Finance and Audit Committee  
**From:** Stephanie Sue Stein, Director, Department on Aging  
**Subject:** Informational report on revenues received that exceed 2010 budget estimates in excess of \$100,000 (File No. 86-666)

County Board Resolution File No. 86-666 requires all department heads to "report to the Committee on Finance and Audit, on a quarterly basis, revenues received from sources not anticipated in the budget in excess of \$100,000, or revenues received that exceed budget estimates by that amount."

Pursuit to File No. 86-666 and based upon a careful review with Wisconsin Department of Health Services, the Milwaukee County Department on Aging has recalculated the 2010 Aging Resource Center 100% Time Reporting reimbursement. As such, the Department on Aging was able to increase revenue by \$400,000 for 2010. The Department on Aging has also submitted an Appropriation Transfer Request to the Finance and Audit Committee of \$199,993, using \$100,000 of the \$400,000 to offset funding reductions and for additional Aging Resource Center (ARC) expenditures to operate the ARC in Milwaukee County (File No. 09-448). Assuming approval of the transfer request, the net effect for the Department on Aging will be a 2010 expected surplus of \$300,000 created by unanticipated Aging Resource Center revenue.

If you have questions regarding this informational report, please contact me at 289-6876.

cc: County Executive Scott Walker  
Supervisor Lee Holloway  
Thomas Nardelli  
Cynthia Archer  
Stephen Cady  
Jennifer Collins  
Steve Kreklow  
Antionette Thomas-Bailey  
Jonette Arms  
Jeanne Dorff  
Nubia Serrano  
Mary Proctor Brown  
Chester Kuzminski  
Gary Portenier  
Greg Reiman  
Beth Werve

From the Committee on Finance and Audit

File No. 10-12(a)(i)  
(Journal, December 17, 2009)

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(ITEM 7) Reference file established by the County Board Chairman, relative to reports from Departments regarding revenue deficits greater than \$75,000 [MCGO 56.02], by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Zoo Director, titled "2010 Revenue Deficit" dated August 20, 2010, (vote 7-0).

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**COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION**

DATE : August 20, 2010

TO : County Executive Scott Walker  
Elizabeth Coggs, Chairman, Finance and Audit Committee  
Steven Kreklow, Fiscal and Budget Administrator

FROM : Charles Wikenhauser, Director, Zoological Department

SUBJECT : **2010 Revenue Deficit (For Information Only)**

**Issue**

Milwaukee County Ordinance 56.02 requires department administrators to submit a report to the County Executive, Finance and Audit Committee and the Department of Administrative Services when potential revenue deficits of \$75,000 or more are identified. The Milwaukee County Zoo is projecting a net deficit of \$499,752.

**Background**

As of July 31, 2010, the Zoo is \$1,837,926 short of its year-to-date revenue goal of \$11,298,194 and 61,184 visitors short of its 862,796 year-to-date attendance goal. Expenditure savings are projected to be \$1,338,174 for a net deficit of \$499,752.

Attendance and visitor spending are key factors that affect revenues. Weather conditions for the months of June and July included 14 days of rain and seven days of hot and humid temperatures, which had an adverse impact on attendance. The other key factor, visitor spending, continues to be negatively impacted by the national recession. Zoo visitors are spending less this year than in years prior to the recession.

**Corrective Action Plan**

Expenditure savings through July 31 are projected to be \$1,338,174 to help offset the revenue shortfall for a net tax levy deficit of \$499,752. The Zoo has a freeze on all non-essential purchases and will continue to identify additional savings and aggressively pursue revenues.

**Recommendation**

This is an informational report required by Section 56.02 of the Milwaukee County Ordinances and requires no action.



Charles Wikenhauser  
Director, Zoological Department

pc: Lee Holloway, County Board Chairman  
Supervisor Gerry Broderick, Chairman, Committee on Parks, Energy and Environment  
Cynthia Archer, Director, Department of Administrative Services  
Scott Manske, Controller  
John Ruggini, Assistant Fiscal and Budget Administrator  
Steve Cady, County Board, Fiscal and Budget Analyst  
Julie Esch, County Board, Senior Research Analyst  
Sarah Jankowski, DAS, Fiscal and Management Analyst  
Vera Westphal, Deputy Zoo Director (Administration/Finance)  
Sue Rand, Accounting Manager

From the Committee on Finance and Audit

File No. 10-12(a)(j)  
(Journal, December 17, 2009)

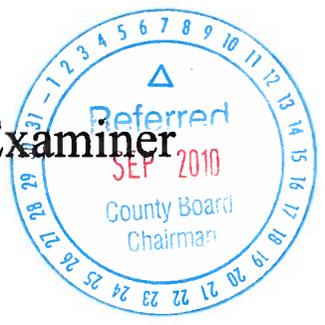
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(ITEM 8) Reference file established by the County Board Chairman, relative to reports from Departments regarding revenue deficits greater than \$75,000 [MCGO 56.02], by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Medical Examiner, titled "2010 Revenue Deficit" dated September 2, 2010, (vote7-0).

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Finance

# Medical Examiner



## Memo

To: Scott Walker, County Executive  
 Lee Holloway, Chairman, County Board of Supervisors  
 Elizabeth Coggs, Supervisor, Finance and Audit Committee

From: Brian L. Peterson, MD, Medical Examiner

Date: September 2, 2010

RE: 2010 Revenue Deficit

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As required by Milwaukee County Ordinance 56.02, the Medical Examiner's Office is reporting a revenue deficit of approximately \$250,000 for 2010.

The deficit is caused by the loss of budgeted neuropathology consulting fees anticipated by the former Medical Examiner. Additionally, waived fees due to the indigency status of decedents have increased significantly from previous years.

To offset the revenue reduction, the Medical Examiner's office is leaving an Assistant Medical Examiner position vacant. We are also continuing to explore other revenue options and are currently in ongoing talks with surrounding counties to provide autopsy support.

Respectfully,

  
 Brian L. Peterson, MD  
 Medical Examiner

cc: Cynthia Archer, Director, Department of Administrative Services  
 Steve Cady, Fiscal and Budget Analyst, County Board of Supervisors  
 Carol Mueller, Chief Committee Clerk, County Board of Supervisors  
 Joseph Carey, Budget Analyst, Department of Administrative Services

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(ITEM 9) Reference file established by the County Board Chairman, relative to reports from Departments regarding revenue deficits greater than \$75,000 [MCGO 56.02], by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Interim Director, Department of Health and Human Services and Administrator, Behavioral Health Division, titled "2010 Patient Revenue Deficit Report for the Behavioral Health Division" dated September 8, 2010, (vote 7-0).

COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION

**DATE:** September 8, 2010

**TO:** County Executive Scott Walker  
Supervisor Elizabeth Coggs, Chairperson, Committee on Finance and Audit  
Cynthia Archer, Director, Department of Administrative Services

**FROM:** Geri Lyday, Interim Director - Department of Health and Human Services

**SUBJECT:** 2010 State Medicaid Patient Revenue Deficit Report for the Behavioral Health Division

**Issue**

Milwaukee County Ordinance 56.02 requires department heads to submit a written report to the County Executive, Finance and Audit Committee, and the Department of Administrative Services when potential revenue deficits of \$75,000 or more are identified.

**Background**

The Department of Health and Human Services previously reported in January 2010, State Medicaid funding in all the direct patient service areas decreased as the State of Wisconsin faced a \$600 million deficit in their Medicaid budget, however, more recent reports indicate the estimated deficit is approximately \$800 million. As reported previously in the January, May, June and July 2010 informational reports, inpatient state Medicaid revenue decreased and the state trend of reductions continues.

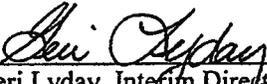
Based upon actual patient billing and collection experience through June 30, 2010, BHD has not seen a further decline in patient revenue, however, the Division is tracking closely potential state cuts to Medicaid reimbursement rates due to the enormous State Medicaid deficit. The State rate changes are normally determined on an annual basis, with the exception of nursing home rates, that are reported quarterly. Given the reductions in State funding known at this time and the reimbursement rates, the updated patient revenue deficit continues to be projected the same as was reported in July - a total patient revenue deficit of \$2,532,656 and an overall revenue deficit of \$2,737,273, as reported in July.

BHD is continuing to see other insurance companies (HMOs, private insurance etc) change their payment schedule to mirror State Medicaid. The HMO's have also received decreased state Medicaid payments and are now passing those reductions onto local providers. This is adversely affecting BHD patient revenue.

Finally, BHD continues to work diligently to address known revenue issues by monitoring state cost savings initiatives and negotiating new contracts with various HMO's/private insurance companies. The Department of Health and Human Services and the Behavioral Health Division are committed to providing updated reports each month as new State information becomes available.

**Recommendation**

This is an informational report required by Section 56.02 of the Milwaukee County Ordinances. No action is necessary.

  
\_\_\_\_\_  
Geri Lyday, Interim Director  
Department of Health & Human Services

cc: Tom Nardelli, County Executive's Office  
Steve Kreklow, Fiscal and Budget Director - DAS  
Allison Rozek, Fiscal Management Analyst - DAS

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(ITEM 10) Reference file established by the County Board Chairman, relative to reports from Departments regarding revenue deficits greater than \$75,000 [MCGO 56.02], by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Interim Director, Department of Family Care, titled "Update on the effects of multiple Care Management Organizations providing Family Care in Milwaukee County", dated September 7, 2010, (vote 5-0).

## MEMORANDUM

**Date:** September 7, 2010

**To:** Supervisor Peggy West, Chair, Committee on Health and Human Needs

**From:** Maria Ledger, Department of Family Care

**Subject:** Update on the effects of multiple Care Management Organizations providing Family Care in Milwaukee County

This memorandum is a further update on the impact of multiple Care Management Organizations providing Family Care in Milwaukee County. We have updated the report to include the enrollment for the first 10 months of expansion for the period November 1, 2009 through August 31, 2010 for persons age 18 to 59. In addition, we have identified the impact on the age 60 and older population we served prior to expansion for the period November 1, 2009 through August 31, 2010. The report also identifies the loss in revenue to Milwaukee County and the impact on county personnel positions as a result of multiple CMO's providing Family Care within the county as summarized below:

***Projected Loss of Revenue due to Multiple Care Management Organizations Operating Family Care in Milwaukee County  
As of August 31, 2010***

	<u>Age 18-59 Enrollments (11/1/09-8/31/10)</u>				Projected Annual Revenue Loss
	DD	PD	WL	Total	
Milwaukee County Family Care	944	247	28	1,219	
Community Care Family Care	411	243	44	698	(\$ 22,526,749)
IRIS	156	224	32	412	(\$ 13,296,591)
Community Care Partnership	17	4	5	26	( \$ 839,105)
ICARE Partnership	5	2	14	21	( \$ 677,739)
Community Care Pace	8	5	27	40	( \$ 1,290,931)
<b>Total</b>	<b>1,541</b>	<b>725</b>	<b>150</b>	<b>2,416</b>	<b>(\$ 38,631,116)</b>

Note: the DD (Development Disabilities) and PD (Physical Disabilities) columns relate to current MA Waiver cases; the WL column relates to persons age 18-59, either DD or PD, who are on the DHHS waitlist.

Supervisor Peggy West, Chair  
 September 7, 2010  
 Page Two

**Age 60 & Older Enrollments (11/1/09-8/31/10)**

	<b>Total</b>	<b>Projected Annual Revenue Loss</b>
Milwaukee County Family Care	668	
Community Care Family Care	233	(\$ 5,873,737)
IRIS	224	(\$ 5,260,545)
Community Care Partnership	6	( \$ 129,093)
ICARE Partnership	36	( \$ 839,105)
Community Care Pace	20	( \$ 451,826)
<b>Total</b>	<b>1,187</b>	<b>(\$12,554,306)</b>

**Reduction in Age 60 & Older Enrollments (11/1/09-8/31/10)**

	<b>Net loss in Enrollees</b>	<b>Projected Annual Revenue Loss</b>
<b>Total</b>	<b>379</b>	<b>\$1,019,298</b>

**Reduction in 18-59 Enrollments (11/1/09-8/31/10)**

	<b>Net loss in Enrollees</b>	<b>Projected Annual Revenue Loss</b>
<b>Total</b>	<b>137</b>	<b>\$368,453</b>

**Total Projected Annual Loss in Revenue to the MCDA-CMO** **\$1,387,751**

Supervisor Peggy West, Chair  
September 7, 2010  
Page Three

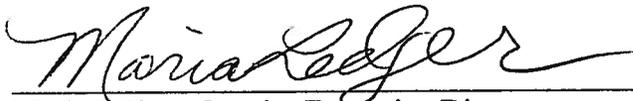
The table above identifies the net loss in enrollees to Milwaukee County due to disenrollments. The total number of disenrollments since November 2009 is 1,184 members. While some of these disenrollments are due to loss of eligibility, a move from service area or death, the fact remains that many members are leaving for other managed care programs in Milwaukee County. We have heard directly from some members and guardians that they are being counseled by providers to disenroll from Milwaukee County and enroll in another CMO that will pay providers higher rates.

We have addressed this issue with the other CMO in Milwaukee County as well as with the State and have yet to come to any successful resolution to this issue.

A loss of enrollments equates to a loss of revenue. This loss of revenue has resulted in a decreased need for staff, resulting in the reduction of 19 vacant county positions approximating \$1,759,448 in salary and benefits. Further contributing to the impact on enrollment and revenue is the state's oversight of the enrollment process through the use of Enrollment Consultants who further evaluate the member's choice before the enrollment actually takes place. Upon the separation of the Family Care from the Milwaukee County Department on Aging Resource Center, the use of Enrollment Consultants was expected to be discontinued. The State has delayed the discontinuance of the Enrollment Consultants until possible October 1<sup>st</sup>.

As you can see, the MCDFC, while still the primary Family Care CMO in Milwaukee County, has begun to experience an erosion in its over 60 enrollment as individuals elect other options. It is still too early to speculate how enrollments will change over time now that the community has several competing options and the ultimate effect it will have on the MCDFC.

If you have any questions, please call me at 289-5908



Maria Ledger, Interim Executive Director  
Milwaukee County Department of Family Care

cc: County Executive Scott Walker  
Chairman Lee Holloway  
Jennifer Collins  
Toni Thomas-Bailey  
Cynthia Archer  
Steven Kreklow

Maria Ledger  
Jim Hodson  
Linda Murphy  
Eva Williams  
Ed Eberle

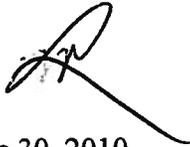
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(ITEM 11) Reference file established by the County Board Chairman, relative to reports from Department of Family Care Quarterly reports on Income Statements of the Care Management Organization (CMO), by recommending adoption of a resolution, to **RECEIVE AND PLACE ON FILE**, the report from the Interim Director, Department of Family Care, titled "MCDFC Income Statement for the period January 1, 2010, through June 30, 2010", dated September 7, 2010, (vote 6-0).

**COUNTY OF MILWAUKEE**  
Inter-Office Communication

**Date:** September 7, 2010

**To:** Supervisor Elizabeth M. Coggs, Chair, Finance and Audit Committee  
Supervisor Peggy West, Chair, Health and Human Needs Committee

**From:** Maria Ledger, Interim Executive Director, Department of Family Care 

**Subject:** MCDFC Income Statement for the period January 1, 2010 through June 30, 2010

The attached report summarizes the Milwaukee County Department of Family Care (MCDFC) Income Statement of the Care Management Organization (CMO) for the period January 1, 2010 through June 30, 2010. In addition, it shows the variance of those results to the 2010 adjusted budget. The actual amounts are preliminary (see the recurring Note on the attached MCDFC-CMO Income Statement for further information). The budget amounts reflect the cumulative monthly budget for the first six months of the year.

The CMO is showing a preliminary actual Net Income of \$1,385,885 for the first six months of 2010. Comparing this to the adjusted budgeted Net Income of \$116,870 creates a positive Net Income Variance of \$ 1,269,015. While preliminary results through June show actual revenues and actual expenditures above those in the adjusted budget, the variance in expenditures is smaller than the variance in revenues in expenditures for the period.

CMO enrollment as of June 30, 2010 was 7,411 members, a net increase of 346 members from the December 31, 2009 enrollment of 7,065 members

If you have questions concerning the attached income statement, please contact Director Ledger at 289-5908.

**Attachment**

cc: County Executive Scott Walker  
Supervisor Lee Holloway  
Stephen Cady  
Jennifer Collins  
Cynthia Archer  
Steve Kreklow  
Toni Thomas-Bailey  
Maria Ledger  
Jim Hodson  
Ed Eberle

**Milwaukee County Department of Family Care-Income Statement  
For the period of January 1 thru June 30, 2010**

	<b>1/1/10 - 6/30/10 Preliminary Actual</b>	<b>1/1/10 - 6/30/10 Adjusted Budget</b>
<b><u>Revenues</u></b>		
Capitation Revenues (Note 1)	\$113,228,620	\$112,019,559
Member Obligation Revenues	\$13,463,395	\$13,397,383
Other Revenues	\$175,323	\$125,525
<b>Total Revenues</b>	<b>\$126,867,338</b>	<b>\$125,542,467</b>
<b><u>Expenses</u></b>		
Member Service Expenses	\$117,480,386	\$115,386,985
Administrative Expenses:		
---Labor & Fringes	\$3,560,265	\$3,784,132
---Vendor Contracts	\$2,000,560	\$2,283,295
---Cross Charges/internal transfers	\$982,126	\$1,080,550
---Other expenses (supplies, mileage, etc.)	\$1,458,117	\$2,405,698
--- Est. contribution to reserve		\$484,938
<b>Total Expenses</b>	<b>\$125,481,453</b>	<b>\$125,425,596</b>
<b>Net Surplus/(Deficit)</b>	<b>\$1,385,885</b>	<b>\$116,870</b>

**June 2010 CMO Enrollment:**

**Nursing Home (Comprehensive):**

59 and Under	887
60 and Over	6,482

**Non-Nursing Home (Intermediate):**

60 and Over	43
<b>Total Members Served - 6/30/2010</b>	<b>7,411</b>

Note (1): The above results reflect an accrual for new expansion members (i.e., waiver program) based on in acuity (i.e., members with higher care plan needs) as measured by the long-term care function screen. This represents the Department of Family Care's best estimate and has yet to be approved by the Wisconsin Department of Health Services. The total accrual for increased capitation revenue for acuity is \$1,442,672.

Note: The above financial summary represent actual results as of the reporting date, however, the result can change due to changes occurring in member service utilization (IBNR), outstanding receivable internal charges or other regulatory changes. Any change from a prior period is accounted for in the year-to-date aggregate results. Prior period reporting is not restated.

From the Committee on Finance and Audit

File No. 10-290  
(Journal, September 30, 2010)

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(ITEM 12) From the Director of Audits, an Audit: Savings from BHD Food Service Privatization Fall Short of Expectations but Remain Substantial, dated August 2010, by recommending that the said audit report be **RECEIVED AND PLACED ON FILE**, (Vote 7-0).

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From the Committee on Finance and Audit

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File No. 10-284(a)(a)  
(Journal, July 29, 2010)

(ITEM 13) From the Interim Director, Department of Health and Human Services (DHHS), and the Fiscal and Budget Administrator, Department of Administrative Services (DAS), requesting the release of \$1,825,890 from the 2010 Behavioral Health Division (BHD) allocated contingency fund within capital funds to address issues related to the Statement of Deficiency (SOD). (Follow-up report due from the Department), by recommending the report titled "Informational report from the Interim Director, Health & Human Services regarding the 2010 Behavioral Health Division Capital Budget Project and issues regarding the recent Statement of Deficiency," dated September 10, 2010, be **RECEIVED AND PLACED ON FILE** (vote 7-0).

**COUNTY OF MILWAUKEE**  
**Behavioral Health Division Administration**  
**INTER-OFFICE COMMUNICATION**

**DATE:** September 10, 2010

**TO:** Supervisor Peggy West, Chairperson, Health & Human Needs Committee  
Supervisor Elizabeth Coggs, Chairperson, Finance & Audit

**FROM:** Geri Lyday, Interim Director, Department of Health and Human Services

**SUBJECT: INFORMATIONAL REPORT FROM THE INTERIM DIRECTOR OF HEALTH AND HUMAN SERVICES REGARDING THE 2010 BEHAVIORAL HEALTH DIVISION CAPITAL BUDGET PROJECT AND ISSUES REGARDING THE RECENT STATEMENT OF DEFICIENCY**

**BACKGROUND**

On June 3, 2010 BHD received a Statement of Deficiency (SOD) from the State of Wisconsin as a result of a recent State Centers for Medicaid and Medicare Services (CMS) survey. This was BHD's routine four-year survey that encompasses a comprehensive review of the physical plant and its operations. The majority of the citations BHD received were regarding the physical building. BHD was required to respond with an initial plan for corrective action by June 14, 2010 and an immediate corrective action on specified citations by June 25, 2010.

At the special joint meeting of the Committees on Health and Human Needs and the Finance and Audit on June 23, 2010, the BHD updated the Committees on the status of a Statement of Deficiency (SOD) from the State of Wisconsin.

At the July, 2010 meetings of the Committees on Health and Human Needs and the Finance and Audit, approved the expenditure authority for \$1,825,890 in 2010 BHD Capital Funds to address all SOD related capital conditions by the final deadline of April 1, 2011.

**DISCUSSION**

The first requirement of the SOD was to respond to the Conditions, or immediate citations listed in Table A below, by June 25, 2010. All Conditions were completed by BHD and reviewed by state surveyors during the week of June 28, 2010. At this time, BHD has no outstanding Conditions regarding the initial list for June 25, 2010. It was necessary for BHD to take immediate action to address the SOD citations requiring

correction by the June 25, 2010 deadline. The risk of not demonstrating immediate and continuing efforts to respond to the citations would have resulted in sanctions by the State, with the possibility of losing Medicaid certification. Without such certification, the County would have lost significant revenue, similar to the recent occurrence at the State's mental health facility – Mendota Mental Health Institute. The Plan of Correction is a work-in-progress and the expectation by BHD and State surveyors is that continuous progress be made in correcting all cited conditions by April 1, 2011. The State has at least five opportunities to review citations and conduct site visits/inspections before the final inspection April 1, 2011.

The following is a list of Conditions that were met by the initial June 25, 2010 deadline:

<b>TABLE A</b>	
<b>Conditions/Citations</b>	<b>Status</b>
Maintain clear access to exits by removing storage	Completed
Remove various shelving	Completed
Clean and dust various office closets, storage spaces and ventilation grills	Completed
Flush floor and shower drains	Completed
Lock unused rooms and maintain log	Completed
Adjust waste storage per guidelines	Completed
Seal all holes, penetrations throughout BHD	Completed
Replace metal plate in Crisis	Completed
Replace tissue dispenser	Completed
Remove bed rails	Completed
Replace missing heat guards	Completed
Remove dust/lint in laundry room	Completed
Change various locks	Completed
Replace various dietary equipment	Completed
Replace insulation on some water pipes	Completed
Caulk various locations throughout BHD	Completed
General adjustments and fixes for doors including install of push/pull door releases, replacement of door hardware, removal of some doors, adjustments of door guides etc	Completed
Seal various walls for smoke barrier	Completed
Replace lighting in various closets/storage areas, replace aluminum plates and adjust other burnt out lighting	Completed
Remove storage from various areas and adjust to meet fire code	Completed
Replace damaged escutcheon sprinkler rings	Completed
Seal ceiling holes due to misaligned tiles	Completed
Electrical clearance issues	Completed

Replace damaged astragal	Completed
Adjust doors to have positive latches, repair self-closure mechanisms and change fire plan accordingly	Completed
Repair damaged floor areas in bathrooms	Completed
Replace gate in stairwell	Completed
Replace cover on heater	Completed
Replace refrigerator on CAIS	Completed
Replace door on fire hose container	Completed

Due to the extremely short timeframe mandated by the State for responding to the Conditions listed in Table A, BHD Administration determined that applicable purchases and maintenance staff overtime were emergency costs that needed to be incurred immediately. This action was taken to ensure compliance with State regulations and avoid risk of decertification that could result in the loss of State Medicaid reimbursement to BHD. The cost estimate for year-to-date supplies/commodities and additional contract work (such as deep cleaning, moving vans, and dumpsters etc.) is \$224,463 through July 7, 2010 plus an additional \$191,542 for a total of \$416,005 through August 31, 2010. The BHD maintenance overtime to date related to the SOD is \$49,709. Additional Department of Transportation and Public Works (DTPW) skilled trades costs for labor and overtime is estimated at \$84,798 YTD- bringing the total spent on corrective actions for SOD issues out of BHD operating funds to \$550,512. A thorough review of all expenditures will be done by accounting and DAS to determine if any of these expenditures are allowable under the capital budget.

In addition to the immediate (conditional) items that have been completed, there are a number of citations requiring a longer timeframe for completion. These citations are displayed below and grouped as bond-eligible projects, Table B, and cash-financed projects, Table C. While the cost estimates are the most accurate available to date, they should be considered preliminary estimates as plans are still being finalized and bids have not yet been received. BHD continues to work with the Department of Administrative Services (DAS); the DTPW – Architectural, Engineering and Environmental Services (A&E); and Zimmerman Architectural Studios Inc, to obtain refined quotes. BHD is required to have all work, which addresses the citations completed by April 1, 2011 as documented in the SOD report.

**TABLE B**

*Bondable Items (based on information available September 8, 2010)*

Issue	Cost Estimate*	Due Date Per Plan of Correction
Remove and replace Library Halon System	\$35,000	October 1, 2010
Door Replacement	\$54,000	August 1, 2010(complete) / October 1, 2010 (two phases)
Additional Sprinkler Heads	\$13,750	August 1, 2010 (complete) /

		October 15, 2010 (two phases)
Construct 100,000 sq ft of seamless ceilings	\$575,000	April 1, 2011
Repair 300 feet of foundation	\$26,500	October 1, 2010
Replace damaged window sills	\$125,000	October 1, 2010
Determine hazardous storage rooms and create smoke barriers	\$324,000	November 1, 2010
Replace milk cooler and installation	\$25,000	TBD
Dish Room, Tray Line Tiles and Laundry Repairs	\$200,000**	April 1, 2011
Materials and labor (DTPW, BHD and Time and Materials Contractors)	\$281,650	On-going
Contingency (10%)	\$165,990	
<b>Total</b>	<b>\$1,825,890</b>	

*\*Items above represent initial quotes and have preliminarily been determined to be bond eligible. DAS- capital staff will continue to review and work with BHD staff to solidify actual costs and ensure all items are bond-eligible. If the scope of a project changes, it may be determined that cash financing needs to fund certain portions of the above listed projects. A 10% contingency has been included in the cost sub-total to account for any fluctuations that may occur as hard costs are obtained.*

*\*\*The Dish Room and Laundry facility repairs are a significant project within the SOD citations and are based on conceptual plan only. BHD has currently hired a consultant to conduct the architectural and engineering. The consultant will complete its report in September 2010. This cost estimation will likely fluctuate based on the September consultant report and has been included in this request as a place holder to ensure all compliance costs were included in this request for County Board consideration.*

**TABLE C**  
**Cash Items (based on information available September 8, 2010)**

Issue	Cost Estimate*	Time Frame
Seal bathrooms to be water tight	\$75,000	March 1, 2011
Replace sidewalks	\$28,200	October 1, 2010
Exit Lighting	\$4,550	September 13, 2010
Roof repair at Food Service Building and Hospital	Included in YTD purchases	August 1, 2010 (completed)
Electrical Upgrades	Included in DTPW OT estimates and YTD purchases	July 1, 2010 (completed)
Install Door Closers	Included in YTD purchases	July 15, 2010 (completed)
Ventilation Addition	\$53,250	December 1, 2010

Medical Records Room fire walls and ventilation	\$12,000	March 1, 2011
Materials and labor (DTPW, BHD and Time and Materials Contractors)	\$38,144 (Preliminary estimate)	On-going
Contingency (10%)	\$22,887	
<b>Total</b>	<b>\$234,031</b>	

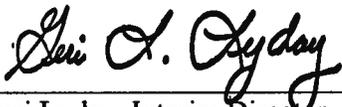
*\*All estimates are based on the best information available as of September 8, 2010 and are subject to change based on scope of the project and information gained from more detailed reviews. DAS staff will continue to review and work with BHD staff to solidify actual costs based on additional quotes. A 10% contingency has been included in the cost sub-total to account for any fluctuations that may occur as hard costs are obtained.*

BHD has worked diligently to address immediate SOD Conditions and continues to move forward with the long-term projects to ensure all corrections are completed by the State deadline of April 1, 2011. The items included in Tables A, B, and C include all current citations noted in the SOD. BHD and DAS will provide the Board with informational reports as work progresses.

#### **RECOMMENDATION**

This is an informational report. No action is necessary.

Respectfully Submitted:



\_\_\_\_\_  
Geri Lyday, Interim Director  
Department of Health and Human Services

Cc: County Executive Scott Walker  
Cindy Archer, Director – DAS  
Allison Rozek, Analyst – DAS  
Jennifer Collins, Analyst – County Board  
Jodi Mapp, Committee Clerk – County Board  
Steve Cady, Analyst – County Board  
Carol Mueller, Committee Clerk – County Board

From the Committee on Finance and Audit

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File No. 09-84(a)(d)  
(Journal, June 24, 2010)

(ITEM 14) From the Director of Audits, a status report on the Audit of MCTS's Fare & Data Collections Systems, by recommending that the said report be **RECEIVED AND PLACED ON FILE**, with a status report due in March of 2011, (Vote 7-0).

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**COUNTY OF MILWAUKEE**  
**Inter-Office Communication**

**Date:** September 7, 2010  
**To:** Supervisor Elizabeth Coggs, Chairwoman, Committee on Finance and Audit  
**From:** Jerome J. Heer, Director of Audits  
**Subject:** Status Report - Audit of MCTS's Fare & Data Collection Systems (File No. 09-84)

At its meeting on March 12, 2009, the Committee on Finance and Audit voted 7-0 to receive and place the subject audit report on file. Subsequently, two status reports, dated December 15, 2009 and June 2, 2010, describing progress toward implementation of our recommendations were submitted to the Committee.

In addition, at its meeting on June 17, 2010, the Committee requested that an updated status report be submitted for its meeting on September 23, 2010. The updated status report is attached for your review.

As noted in the status report, MCTS management continues working toward implementation of the outstanding recommendations, with the exception of recommendation No. 4. We believe the installation of security cameras is warranted to deter potential theft, vandalism or sabotage if the print shop is involved with the production or handling of fare forms after the new automated fare collection system is implemented. As noted in our prior status report, we believe that this decision should be expedited given the audit report was issued in February 2009.

This status report is informational and we recommend it be received and placed on file with a status report due to the Committee in March 2011.

  
Jerome J. Heer

JJH/PAG/cah

Attachment

cc: Finance and Audit Committee Members  
Scott Walker, Milwaukee County Executive  
Cynthia Archer, Director, Department of Administrative Services  
Jack Takerian, Director, Dept. of Transportation and Public Works  
Anita Gulotta-Connelly, Managing Director, Milwaukee County Transit System  
Terrence Cooley, Chief of Staff, County Board Staff  
Steve Cady, Fiscal & Budget Analyst, County Board Staff  
✓ Carol Mueller, Chief Committee Clerk, County Board Staff

**STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS**

**Audit Title: An Audit of the Milwaukee County Transit System's Fare and Data Collection Systems**

**File Number: 09-84**

**Audit Date: February 2009**

**Status Report Date: September 2, 2010**

**Department: MTS/DTPW**

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
1. Develop strategies for verifying, on a spot-check basis, key elements of its ridership profile, including the number of rides per week for various weekly pass fare categories, ratios and percentages used for allocating cash receipts, as well as those affecting transfer and free ride estimates. This should involve seeking resources outside of MTS for incorporating sound sampling techniques.		X				X	<p><b>Auditee:</b></p> <p><i>Transit has retained the services of IBI Group as a consultant for the fare collection project. The consultant will review and recommend changes in fare policy and will assist in the development of specifications for the new automated fare collection system. The consultant will also provide a recommendation of the best technology available (magnetic cards and/or smart cards) to meet MCTS' fare policy needs.</i></p> <p><i>Preliminary meetings have taken place with the consultant and the next series of meetings are scheduled for late September.</i></p> <p><i>The new system will provide statistical data for all ridership. This data will be used to update the current ridership profile, including rides per pass, ratios for cash receipts, and free ride calculations.</i></p> <p><i>Our goal is to limit driver interaction with the system to the extent possible with available technology.</i></p>
2. Once a sound and reliable strategy for verifying key elements of its ridership profile is implemented, use a consistent ridership profile for calculating revenue-ride estimates, fare structure analyses and for estimating the fiscal impact of route and service level adjustments.		X				X	<p><b>Auditee:</b></p> <p><i>New fare collection equipment will provide ridership data by route which will be used when costing the fiscal impacts of route or service level adjustments.</i></p>

**STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS**

**Audit Title: An Audit of the Milwaukee County Transit System's Fare and Data Collection Systems**

**File Number: 09-84**

**Audit Date: February 2009**

**Status Report Date: September 2, 2010**

**Department: MTS/DTPW**

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
3. Work with the County Executive and County Board to establish a capital expenditure plan for implementing a swipe-care system for MCTS buses.	N/A				X		Auditee:  <i>New fare collection equipment will be procured using Federal ARRA funds. This item is included in the County's 2010 Capital Budget.</i>
4. Install additional security cameras in the interior of the print shop to record and deter potential theft, vandalism or sabotage.		X				X	Auditee:  <i>Transit is determining the impact of an automated fare collection system on the activities of the Print Shop. If it is determined that the Print Shop will continue to be involved with the production or handling of fare forms after the new automated fare collection system is implemented, cameras will be installed to heighten security in the Print Shop area.</i>
5. Institute a schedule of periodic inventory counts of finished products in the print shop that can be matched against source documents for greater accountability.		X				X	Auditee:  <i>The Print Shop manager has incorporated additional recordkeeping of finished fares to better track fare form production. If it is determined that the Print Shop will continue to be involved with the production or handling of fare forms after the new automated fare collection system is implemented, a procedure will be developed to periodically inventory the finished fare forms against source documents for greater accountability.</i>
6. Void or mutilate previously redeemed CVCs upon receipt at MTS for storage until they are destroyed.	N/A				X		Auditee:  <i>All Commuter Value Certificates are stamped VOID when remitted to the Cashier's Division.</i>
7. Initiate a competitive bidding process for contracted ticket and revenue transport services.	N/A				X		Auditee:  <i>A competitive bidding process was carried out earlier this year and an award was made to the most qualified bidder.</i>

**STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS**

**Audit Title: An Audit of the Milwaukee County Transit System's Fare and Data Collection Systems**

**File Number: 09-84**

**Audit Date: February 2009**

**Status Report Date: September 2, 2010**

**Department: MTS/DTPW**

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
8. Employ a written contractual agreement for ticket and revenue transport services.	N/A				X		Auditee: <i>A written contract has been issued as a result of the competitive bidding process for delivery services.</i>

From the Committee on Finance and Audit

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File No. 09-69(a)(d)  
(Journal, February 4, 2010)

(ITEM 15) From the Fiscal and Budget Administrator, a status report on the Audit of Professional Service Contracting, by recommending that the said report be **RECEIVED AND PLACED ON FILE**, with a status report due in March of 2011, (Vote 7-0).

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**COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION**

**DATE:** September 7, 2010  
**TO:** Supervisor Elizabeth Coggs, Chair, Finance and Audit Committee  
**FROM:** Steven Kreklow, Fiscal and Budget Administrator *SKR*  
**SUBJECT:** **Status Report on Implementation of Audit of Professional Services Contracting**

**Issue**

Attached is a progress report relating to the recommendations found in the "Audit of Professional Services Contracting" dated December 2008.

**Recommendation**

This report is informational only.

Prepared by: Davida Amenta  
278-5330

cc: Cynthia Archer, DAS Director  
Jerry Heer, County Auditor

**STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS**

**Audit Title: An Audit of Professional Services Contracting**

**File Number: 09-69**

**Audit Date: December, 2008**

**Status Report Date: September, 2010**

**Department: DAS**

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
1. Coordinate a workgroup comprised of staff from the Office of corporation Counsel, DAS and County Board Staff, to recommend, for County Board consideration, revisions clarifying and clearly distinguishing professional services governed by s. 56.30 from contractual services governed by s. 32.36 of the Ordinance		X		NA		X	<p><b>Auditee:</b> The Workgroup consists of the Controller, Accounts Payable Manager, DAS Director, Corporation Counsel, County Board Audit Staff and the Purchasing Administrator.</p> <p>The Workgroup met twice in 2009 and met most recently on August 12, 2010. A draft update of the Administrative Manual has been distributed to the workgroup for review.</p>
2. Remind department administrators of the availability of Corporation Counsel as a resource in determining if a desired service qualifies as a professional service, and revise Administrative Manual s. 1.13 to eliminate reference to the Purchasing Standardization Committee as such a resource.		X		NA		X	<p><b>Auditee:</b> A draft update of the Administrative Manual has been distributed to the workgroup for review. A memo reminding departments of the administrative procedure regarding professional services will be distributed when the update to the Administrative Manual Procedure 1.13 is released later in 2010.</p>
3. Evaluate the purpose, composition and performance of the Purchasing Standardization Committee in light of the responsibilities with which that committee has been charged under s. 32.23 of the Ordinances and recommend, for County Board consideration, appropriate revisions.		X		NA		X	<p><b>Auditee:</b> The draft update of the Administration Manual removes the reference to the Purchasing Standardization Committee as the authority for determining the method of procurement for a contract. Instead, Corporation Counsel will be the authority for departments that require clarification regarding a particular contract.</p>

**STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS**

**Audit Title: An Audit of Professional Services Contracting**

**File Number: 09-69**

**Audit Date: December, 2008**

**Status Report Date: September, 2010**

**Department: DAS**

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
4. Propose, for County Board consideration, a revision to s. 56.30 of the General Ordinances of Milwaukee County to require administrators to document in the contract file the justification for choosing to utilize a professional service contractor. Such documentation may or may not require a formal cost-benefit analysis, depending on the circumstances involved and the justification provided in the contract file.		X		NA		X	Auditee: Proposed revisions to s. 56.30 will be referred to the Board of Supervisors in October, 2010.
5. Add Form 2532 to its checklist of items to verify prior to authorizing professional service contracts for payment (i.e. the encumbrance process).		X		NA		X	Auditee: The draft update of the Administrative Manual has been distributed to the workgroup for review. The draft administrative procedure includes a requirement for Corporation Counsel to include Form 2532 (EEOC compliance) as part of their review.
6. Prepare, for County Board consideration, a revision to s. 56.30 of the Ordinances that instructs administrators to seek guidance from s. 1.13 of the Milwaukee County Administrative Manual to help ensure compliance with professional service contract language and other requirements.		X		NA		X	Auditee: Proposed revisions to s. 56.30 will be referred to the Board of Supervisors in October, 2010.
7. Create a control document to log the date each party (Risk Management, Corporation Counsel and CBDP) receives and relays a professional service contract for review and signature.		X		NA		X	Auditee: A control document for signatures is included a part of the draft update of the administrative procedure that has been distributed to the Professional Services Workgroup for review.

**STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS**

**Audit Title: An Audit of Professional Services Contracting**

**File Number: 09-69**

**Audit Date: December, 2008**

**Status Report Date: September, 2010**

**Department: DAS**

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
8. Expand s. 1.13 Appendix D of the Administrative Manual to include all requirements related to soliciting competition for professional service contracts.		X		NA		X	Auditee: These provisions are included in the draft update to Section 1.13 of the Administrative Manual distributed to the Professional Services Workgroup for review.
9. Continue in its efforts to provide County management and staff with on-line access to the most current version of the entire Administrative Manual, and promote the availability of the on-line Manual among County administrators upon completion.		X		NA		X	Auditee: DAS is in the process of posting the entire Administrative Manual on the County intranet so that all administrative procedures are available to department administrators. Posting of the Administrative Manual is estimated to be complete by March 2011.
10. Prepare, for County Board consideration, language revisions to s. 56.30 (4)(b)(5)(a)(1) of the County Ordinances that clarify the contract dollar thresholds which necessitate reports to the County Board of the decision by department administrators not to utilize the RFP process. Also, ensure that any changes match corresponding Administrative Manual instructions.		X		NA		X	Auditee: Proposed revisions to s. 56.30 will be referred to the Board of Supervisors in October, 2010.
11. Work with the Treasurer's Office to implement procedures relating to EFT payments that will provide the necessary controls for ensuring payments are made only on properly authorized, encumbered contracts.		X		NA		X	Auditee: Central Accounts Payable and the Treasurer's Office have had initial discussions on this issue.

**STATUS OF IMPLEMENTING DEPARTMENT OF AUDIT REPORT RECOMMENDATIONS**

**Audit Title: An Audit of Professional Services Contracting**

**File Number: 09-69**

**Audit Date: December, 2008**

**Status Report Date: September, 2010**

**Department: DAS**

Number & Recommendation	Deadlines Established		Deadlines Achieved		Implementation Status		Comments
	Yes	No	Yes	No	Completed	Further Action Required	
12. Reinforce the requirement to complete Form 1684 for all professional service contracts and extensions, including those paid via EFT and revenue-generating contracts.		X		NA		X	Auditee: Upon finalizing discussions with the Treasurer's Office, DAS will remind departments that all professional service contracts including those paid by check request, EFT or generating revenue will require review by DAS to ensure compliance with County Ordinance 56.30.

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(ITEM 16) From the Interim Chief Information Officer, IMSD, requesting authorization to enter into lease agreements with the City of Greenfield and AT&T to rent communications room and tower space to support the County's 800 MHz Public Safety Communications, by recommending adoption of the following:

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**A RESOLUTION**

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WHEREAS, an appropriation of \$245,226 was approved for Capital Improvement Project WO620 - Greenfield Public Safety Communications to fund the relocation of public safety and radio communication equipment from a City of Milwaukee owned water tower to a communications tower located within the City of Greenfield municipal complex and owned by AT&T Corporation; and

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WHEREAS, completion of this approved capital improvement project will require execution of two interdependent lease agreements, one with AT&T Corporation for tower space rental and the other with the City of Greenfield for building space rental of the associated communications equipment. Both leases have been approved by Corporation Council and Risk Management; and

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WHEREAS, at its meeting on September 23, 2010, the Committee on Finance and Audit recommended approval of the said request (vote 7-0); now, therefore,

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BE IT RESOLVED, the Interim Chief Information Officer is authorized to execute lease agreements with the City of Greenfield to rent communications room space located within the City of Greenfield municipal complex for a period of five years with four automatic, five year renewals; and

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BE IT FURTHER RESOLVED, the Interim Chief Information Officer is authorized to execute lease agreements with AT&T Corporation to rent communications tower space located within the City of Greenfield municipal complex for a period of five years with four automatic, five year renewals.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** August 23, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Request for authorizatin to enter into lease agreements with the City of Greenfield and AT&T to rent communcations room and tower space to support the County's 800 MHz Public Safety Communications.

**FISCAL EFFECT:**

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

	Expenditure or Revenue Category	Current Year	Subsequent Year
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure	0	12,601
	Revenue		
	Net Cost	0	12,601

## 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.<sup>1</sup> 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 Interim Chief Information Officer, Information Management Services Division (IMSD) is requesting authorization to execute two interdependent lease agreements with the city of Greenfield and AT&T to rent communications room and tower space located within the City of Greenfield municipal complex for a period of five years with four automatic, five year renewals (a maximum of 25 years considering all possible renewal terms).

B. No expense is anticipated in the current year for the execution of these two interdependent lease agreements.

### GREENFIELD LEASE AGREEMENT

The County will be responsible for making an annual payment in the amount of \$1 to the City of Greenfield per the terms of the lease agreement, which totals \$25 over the entire term of the lease agreement.

In addition, the County will also be responsible for a one-time future payment from its annual operating budget in an amount not to exceed \$60,000 to be applied toward the City of Greenfield flash upgrade of City owned digital ready mobile and portable radios. As of the lease execution date, the time frame for radio upgrade is unknown; however, the County will be provided an 18 month advance notice window under the terms of the lease to budget for this anticipated cost.

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<sup>1</sup> 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.

AT&T LEASE AGREEMENT

The County will be responsible for a rental fee of \$12,600 per year for placing County radio equipment on the AT&T owned communications tower. The initial annual rental fee of \$12,600 paid by the County is scheduled to increase by four percent annually over the agreement (a maximum of 25 years considering all possible renewal terms).

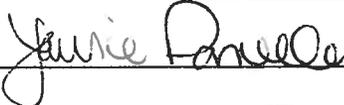
C. Within the current year no financial impact is anticipated with the execution of the two interdependent leases.

All future year budgetary costs with the execution of these lease agreements will be included in the IMSD operating budget.

D. The success of this initiative assumes simultaneous approval of both lease agreements as well as approval by the city of Greenfield Common Council.

Within the city of Greenfield lease agreement the one time future payment to flash upgrad the hand held and portable digital ready radios is estimated at \$60,000 or the actual cost of the upgrade, whichever is less.

Department/Prepared By Laurie Panella, INTERIM IMSD CIO, DAS-IMSD

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

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(ITEM 17) From the Interim Chief Information Officer, IMSD, requesting authorization to amend a contract with The Joxel Group, LLC (TJG) for the completion of the planning and design phase of approved capital project WO444, Electronic Medical Records System, by recommending adoption of the following:

**A RESOLUTION**

10 WHEREAS, an appropriation of \$2,827,549 is budgeted in the 2010 Adopted  
11 Capital Improvements Budget for project WO444 - Electronic Medical Records System, to  
12 replace the Electronic Medical Records (EMR) system for the Office of the Sheriff (MCSO)  
13 and to implement a new EMR system for the Behavioral Health Division (BHD); and

14 WHEREAS, the Information Management Services Division (IMSD) was appointed  
15 project lead on this initiative; and

16 WHEREAS, in June of 2010, IMSD issued a Request for Proposal (RFP) for Program  
17 Management Services to support IMSD in the successful implementation of this project;  
18 and

19 WHEREAS, upon completion of the proposal review, The Joxel Group, LLC (TJG)  
20 was the successful proponent. TJG is a State of Wisconsin and Milwaukee County DBE  
21 certified firm; and

22 WHEREAS, professional service contracts in an amount less than \$50,000 were  
23 written, reviewed by Corporation Counsel, Risk Management and the Community Business  
24 Development Office and executed with planning and design phase of the capital project;  
25 and

26 WHEREAS, due to the fact that the County Board is not in session in the month of  
27 August, IMSD did not have the authority to execute a contract for the full anticipated cost  
28 of this phase; and

29 WHEREAS, IMSD executed the contract at a value less than \$50,000 with the intent  
30 of requesting authorization from the County Board to amend the professional service  
31 agreement in the month of September; and

32 WHEREAS, at its meeting on September 23, 2010, the Committee on Finance and  
33 Audit recommended approval of the said request (vote 7-0); now, therefore,

34 BE IT RESOLVED, the Interim Chief Information Officer is authorized to amend the  
35 contract with The Joxel Group, LLC, for the planning and design phase of Project WO444-  
36 Electronic Medical Records System for both the Milwaukee County Sheriff's Office and the  
37 Milwaukee County Behavioral Health Division.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** August 23, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Request for authorization to execute a Professional Services Contract Amendment with the Joxel Group, LLC for the initial planning and design phase of approved Capital Improvement project WO444- Emergency Medical Records System.

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure	141,920	0
	Revenue		
	Net Cost	141,920	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.<sup>1</sup> 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. Due to the fact that the County Board is not in session in the month of August, IMSD did not have the authority to execute a contract for the total anticipated cost of the initial planning and design phase of an Electronic Medical System for both the Sheriff's office and Behavioral Health. IMSD executed a contract with The Joxel Group, LLC at a value less than \$50,000 with the intent of requesting authorization from the County Board (per MGCO Ch 56) to amend both professional service agreements in the month of September.

B. IMSD is requesting for the authority to execute a professional services contract amendment with The Joxel Group, LLC to increase the contract amount by \$92,000 for a total contract value of \$141,920. Increased cost in the current year for these contracts will be absorbed within the capital appropriation.

C. The total budget for the amended cost of the contract, totaling \$141,920, is included in the budgeted amount for this approved capital improvement project. The authorized budgeted amount for the planning and design phase was adopted in the capital improvement project at \$188,700. IMSD will be completing this project for \$141,920.

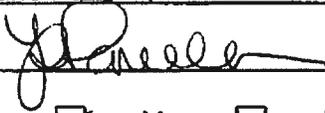
D. None

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

Department/Prepared By Laurie Panella, INTERIM IMSD CIO, DAS-IMSD

Authorized Signature

  
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Did DAS-Fiscal Staff Review?

Yes

No

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(ITEM 18) From the Interim Director, Department of Health and Human Services, requesting authorization to abolish, upon vacancy, two FTE positions of Disabilities Services Specialist, and create five FTE positions of Disability Services Coordinator (one unfunded) and one FTE position of Program Manager-Children's Services (unfunded); by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the Department of Health and Human Services request the abolishment of 2.0 FTE Disabilities Services Specialist (title code 55740, PR 24) upon vacancy, and the creation of 5.0 FTE Disability Services Coordinator (one unfunded, PR 26M) and 1.0 FTE Children's Program Manager (unfunded, PR 29M) in the Disabilities Services Division (DSD); and

WHEREAS, Disabilities Services Coordinators would perform their individual primary functions for the divisions in which they work, but would also be responsible for performing functions such as internal and external tasks to facilitate the administration and operations of the Children's Long Term Support waiver program; support necessary linkages to community providers; provide assistance with program coordination in the various program areas including adult programs, children's programs and court related services programs, and leading in the implementation of the Early Intervention Services - Birth to Three program; and

WHEREAS, the Program Manager- Children Services, which will be created as an unfunded position and will not be filled until additional funding comes available, is responsible for the overall operations and activities of the Children's section of DSD, including representing the policies and procedures for DSD with State staff; developing procedures for internal and external staff with CLTS waivers; monitoring agreements with agencies or entities working with children with special needs; leading the development and implementation of children services with provider development and provider contracts; and monitoring program utilization and spending; and

WHEREAS, the requested position actions are necessary to successfully implement the expansion and redesign of the Children's Long-Term Support waiver programs; and

WHEREAS, the Department of Administrative Services, Fiscal Affairs recommends that the following request effective September 24, 2010, be approved: abolish upon vacancy 2.0 FTE Disabilities Services Specialist (title code 55740, PR 24), create 5.0 Disability Services Coordinator (one unfunded, PR 26M) and 1.0 FTE Program Manager-Children's Services (unfunded, PR 29M); and

45 WHEREAS, at its on September 23, 2010, the Committee on Finance and Audit  
46 recommended approval for the abolishment/creation of the said positions (vote 7-0);

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48 WHEREAS, at its meeting on September 24, 2010, the Committee on Personnel  
49 recommended approval of the classifications and rate of pay as recommended by the  
50 Division of Human Resources (vote 7-0); now, therefore,

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52 BE IT RESOLVED, that the following position actions are approved, for the  
53 Department of Health and Human Services effective September 24, 2010:

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<u>Action</u>	<u>Title</u>	<u>No. of Positions</u>	<u>Pay Range</u>
56 Abolish-upon vacancy	Disabilities Services Specialist	2.0	24
57 Create	Disability Services Coordinator	4.0	26M
58 Create-Unfunded	Disability Services Coordinator	1.0	26M
59 Create-Unfunded	Program Manger-Children's Services	1.0	29M

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**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** 9/8/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Request to Abolish upon vacancy, 2.0 FTE Disabilities Services Specialist (55740, PR 24), create 5.0 FTE Disability Services Coordinator (one unfunded, PR 26M) and 1.0 FTE Children's Program Manager (unfunded, PR 29M) in the Disabilities Services Division (DSD) of the Department of Health and Human Services (DHHS)

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	45,414	-21,490
	Revenue	0	0
	Net Cost	45,414	-21,490
<b>Capital Improvement Budget</b>	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.<sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. Approval of the following position actions would allow the department to move forward with the implementation of the redesign and expansion of the Children's Long-Term Support (CLTS) waiver program: Abolish upon vacancy 2.0 FTE Disabilities Services Specialist, create 4.0 FTE Disability Services Coordinator, 1.0 FTE unfunded Disability Services Coordinator, and 1.0 FTE unfunded Program Manager- Children's Services.

B. The estimated fiscal effect for 2010 related to the creation of four funded Disability Services Coordinator positions including salary and active fringe benefits is \$89,059, which is offset by the cost to abolish upon vacancy two Disabilities Services Specialist for a cost including salary and active fringe benefits of \$43,645, resulting in an increase in expenditures of \$45,414, which will be absorbed within the departments budget. In addition, there are three other positions that will be abolished in 2011 to offset the costs of the new positions associated with CLTS, resulting in levy savings in 2011 of \$21,490.

C. In 2010, the fiscal effect is an increase in expenditures of \$45,414 and will be absorbed within the department's budget. In 2011, the levy savings is \$21,490.

D. The 2010 savings mentioned above will be achieved assuming a start date of October 1, 2010 through December 31, 2010 and a hourly rate of \$27.18. In addition, the fringe amounts used to calculate the position costs (29.78%- Active Health, 20.10%- Active Pension, and 7.65%- social security) reflect the active fringe rates for DHHS provided by Central Accounting.

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

Department/Prepared By Antionette Thomas-Bailey

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

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4 (ITEM 19) From the Director, Department of Transportation and Public Works, requesting  
5 authorization to abolish one position of Administrative Assistant III – Airport and create  
6 one position of Airport Operations Coordinator II in the Airport Operations Division, by  
7 recommending adoption of the following:

8  
9 **A RESOLUTION**

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11 WHEREAS, passenger and aircraft activity has steadily increased at General Mitchell  
12 International Airport since 2002; and

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14 WHEREAS, passenger traffic for the month of June 2010 set an all-time record; and

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16 WHEREAS, increased passenger and aircraft activity has led to a substantially  
17 increased workload for airside operations staff; and

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19 WHEREAS, the Federal Aviation Administration requires minimum operations staff  
20 levels related to passenger and aircraft traffic as part of its annual certification process; and

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22 WHEREAS, the airport has a significant number of capital projects currently under  
23 construction on the airfield, which require County staff to escort contractors in secured  
24 areas; and

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26 WHEREAS, the airport requires at least three Airport Operations Coordinators to be  
27 onsite during snow events; and

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29 WHEREAS, the airport is in the process of filling two vacant Airport Operations  
30 Coordinator positions, and will fill another vacant position in the near future; and

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32 WHEREAS, the Administrative Assistant III – Airport position was vacated on July  
33 24, 2010 due to a promotion within the airport; and

34  
35 WHEREAS, both positions are represented by the same collective bargaining unit  
36 (District Council 48) and are both authorized at pay grade 25, for no fiscal effect, and

37  
38 WHEREAS, at its on September 23, 2010, the Committee on Finance and Audit  
39 recommended approval for the abolishment/creation of the said positions (vote 7-0);

40  
41 WHEREAS, at its meeting on September 24, 2010, the Committee on Personnel  
42 recommended approval of the classifications and rate of pay as recommended by the  
43 Division of Human Resources (vote 7-0); now, therefore,  
44

45 BE IT RESOLVED, that the following position actions are approved, for the  
46 Department of Transportation and Public Works-Airport Division:

47

48	<u>Action</u>	<u>Title</u>	<u>No. of Positions</u>	<u>Pay Range</u>
49	Abolish	Administrative Assistant 3-Airport	1.0	25M
50	Create	Airport Operations Coordinator 2	1.0	25M

H:\Shared\COMCLERK\Committees\2010\Sep\F&A\Resolutions\10-308 Airport Abolish Create Resolution.doc

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** 8/17/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Abolish 1.0 FTE Administrative Assistant III – Airport (title code 00011991), and create 1.0 FTE Airport Operations Coordinator 2 (title code 00010891).

**FISCAL EFFECT:**

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

## DESCRIPTION OF FISCAL EFFECT

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

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. <sup>1</sup> 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 would abolish 1.0 FTE Administrative Administrative Assistant III – Airport (title code 00011991), and create 1.0 FTE Airport Operations Coordinator 2 (title code 00010891).

This action has no fiscal impact, because both positions are authorized at pay grade 25. Both positions are represented by District Council 48. The position to be abolished has been vacant since July 24, 2010.

Department/Prepared By DAS-Fiscal, Josh Fudge

Authorized Signature



Did DAS-Fiscal Staff Review?  Yes  No

<sup>1</sup> 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.

09-30-10

A DEPARTMENTAL - RECEIPT OF REVENUE

File No. 10-1  
(Journal, December 17, 2009)

(Item 20)

Action Required

Finance Committee  
County Board (2/3 Vote)

WHEREAS, department requests for transfers within their own accounts have been received by the Department of Administrative Services, Fiscal Affairs, and the Director finds that the best interests of Milwaukee County will be served by allowance of such transfers;

THEREFORE, BE IT RESOLVED, that the Director, Department of Administrative Services, is hereby authorized to make the following transfers in the 2010 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) <u>2442- Department of Child Support Enforcement -Special Projects</u>		
2475 – ARRA- Coll Cost Child Sup	\$200,000	
6149 – Prof. Serv.- Nonrecurring Operations		\$180,000
5201 – Overtime		185,000
<u>2432 – Department of Child Support - Administration</u>		
8557 – Computer Equipment - New >\$500	\$165,000	

A fund transfer of \$365,000 is requested by the Director of the Department of Child Support Enforcement to receive revenue and establish expenditure authority for anticipated American Recovery & Reinvestment Act (ARRA) funding.

Per state and federal regulations, this funding must be used to supplement, not supplant county child support funding established in the County’s budget. It may only be spent on child support activities that are otherwise allowable under federal regulations, and must be tracked separately from regular child support funding.

The State recently informed the Department that additional ARRA funds are available. Funds in the amount of \$185,000 will be used to continue the overtime project to manage offsite records related to the paperless office project. Remaining funds will be used to upgrade the Department’s website to allow clients to easily access documentation on a variety of child support issues. Both initiatives will increase staff efficiencies by facilitating access to offsite records and reducing service call volume and daily mailings.

The Department is required by federal regulations and the 2010 State/County contract to maintain a certain level of tax levy (Maintenance of Effort or MOE) or suffer severe cuts in 2010 performance revenue. To enable the Department to meet the MOE provision, the Department must increase its expenditures relating

to technology and workflow processes. In order to properly align budgeted expenditures with actual expenditures, \$165,000 in appropriations are transferred from Computer Equipment New >\$500 to Professional Services.

Should the State make less ARRA funding available than currently anticipated, the Department will reduce its ARRA-related expenditures.

No tax levy increase results from this appropriation transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
2) <u>2857- Alternatives to Incarceration</u>		
2699 – Federal Grant Reimbursement Revenue	\$39,000	
6148 – Professional Service- Recurring Operations		\$39,000

A fund transfer of \$39,000 is requested by the Clerk of Circuit Court to receive federal grant reimbursement revenue and authorize expenditures for professional services in an equal amount.

In 2009, Milwaukee County was awarded a Bureau of Justice Assistance (U.S. Department of Justice) Drug Court Discretionary Grant, number 2009-DC-BX-0041, in the amount of \$349,995. The total award is being used to support the Milwaukee County Drug Treatment Court from September 1, 2009 through August 30, 2012. Professional Service contracts are with Justice 2000, Wisconsin Community Services and UWM-Milwaukee.

Funding is split evenly, \$116,665 each year for the three-year grant period. This fund transfer will authorize expenditures for professional services (with identified vendors above), which will cover program expenses for the first quarter of the second year, the period September 1, 2010 through December 31, 2010 of the grant.

This grant is part of the pretrial services program, which is managed and monitored by the Chief Judge and Judicial Review Coordinator.

This fund transfer has no tax levy impact for Milwaukee County.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
3) <u>2857- Alternatives to Incarceration</u>		
2299 – State Grant Reimbursement Revenue	\$60,843	
6148 – Prof. Service- Recurring Operations		\$60,843

A fund transfer of \$60,843 is requested by the Clerk of Circuit Court to receive an increase in state grant reimbursement revenue and to increase the 2010 Professional Service Contract with Wisconsin Community Services (WCS) by an equal amount.

The 2010 Adopted Budget includes \$109,470 for the Milwaukee County Operating While Intoxicated Program. The Wisconsin Department of Transportation has increased funding to Milwaukee County by \$60,843, bringing total 2010 funding for the program to \$170,313. All funding is designated for the contract with WCS for Repeat Intoxicated Driver Intervention.

This grant is part of the pretrial services program, which is managed and monitored by the Chief Judge and Judicial Review Coordinator.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
4) <u>7931- Elderly Services</u>		
2699 – A5DU- Other Federal Grants & Reimbursement		\$ 4,068
2299 – A5DC- Other State Grants & Reimbursement		4,828
2255 – Social Service- Purchase		29,028
8123 – A5AK- Purchase of Services		29,028
2699 – Other Federal Grants & Reimbursement	\$ 7,747	
2699 – A5CW- Other Federal Grants & Reimbursement	470	
2699 – A5DD- Other Federal Grants & Reimbursement	29,707	
8123 – A5AK- Purchase of Services	29,028	
<u>7964- Eligibility Screening</u>		
2255 – Social Service- Purchase		\$8,439
2699 – Other Federal Grants & Reimbursement	\$8,439	

A transfer of \$75,391 is requested by the Director, Department on Aging to receive revenue related to changes in the State and County Contract and to realign revenues and expenditures within the department.

Pursuant to County Board resolution File No. 10-33(a)(a), approved on December 17, 2009, the County Executive is authorized to carry out the Department on Aging's 2010 State and County contract covering the administration of Social Services and Community Programs-Aging Programs. The resolution authorizes the County Executive to accept Federal and State revenues including any and all increases in allocations during the contract year.

This transfer reflects a total increase in revenue of \$46,363, which is offset by a decrease in revenue of the same amount. Revenues for Title 3B- Supportive Services increased \$38,146 due to an increase of \$29,707 for Title 3B Funds and \$8,439 related to an increase in 100% time reporting revenue in the Resource Center. This increase is partially offset by a decrease in Basic Community Aids (BCA) funding for senior center programming of \$37,467. The remaining \$679 in Title 3B funding will be used with an increase in revenue of \$7,747 in Title 3 Administration and \$470 in Title 3D revenue to offset a reduction in revenue of \$8,896, which includes a reduction of \$4,068 in Title 3E National Family Caregiver Support Program funding and \$4,828 in Senior Community Services Program allocation funding.

In addition to increased revenue, the department is also requesting an increase in expenditure authority for individual transportation services of \$29,028. As the demand for individual transportation increases for eligible medical and grocery shopping trips, group transportation for rides to nutrition sites has been decreasing. This is offset by a corresponding decrease in group site transportation expenditures.

This transfer would allow the department to receive the increased revenue and realign expenditures accordingly.

There is no levy impact from this transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
5) <u>7931- Elderly Services</u>		
8123 – A5MS- Purchase of Services		\$10,000
2299 – A5MS- Other State Grants & Reimbursement	\$10,000	
<u>7932- Elderly Nutrition</u>		
2699 – A5DG- Other Federal Grants & Reimbursement		\$4,013
2699 – A5CV- Other Federal Grants & Reimbursement	\$1,485	
2699 – A5DB- Other Federal Grants & Reimbursement	2,528	
<u>7964- Eligibility Screening</u>		
2299 – A5RC- Other State Grants & Reimbursement		\$1,299
2699 – OOO- Other Federal Grants & Reimbursement	\$1,299	

	<u>From</u>	<u>To</u>
<u>7972- Elder Abuse</u>		
2299 _ A5CN- Other State Grants & Reimbursement		\$ 6,551
8123 _ A5CN- Purchase of Services		30,000
2699 _ OOOO- Other Federal Grants & Reimbursement	\$36,551	
<u>7973- Protective Services</u>		
8123 _ A5CD- Purchase of Services		\$53,711
2699 _ OOO- Other Federal Grants & Reimbursement	\$53,711	
<u>7974- Brief Services</u>		
2299 _ A5AZ- Other State Grants & Reimbursement		\$10,000
8123 _ A5AZ- Purchase of Services	\$10,000	

A transfer of \$115,574 is requested by the Director, Department on Aging to receive revenue related to changes in the State and County Contract and to realign revenues and expenditures within the department.

Pursuant to County Board resolution File No. 10-33(a)(a), approved on December 17, 2009, the County Executive is authorized to carry out the Department on Aging's 2010 State and County contract covering the administration of Social Services and Community Programs-Aging Programs. The resolution authorizes the County Executive to accept Federal and State revenues including any and all increases in allocations during the contract year.

The Aging Resource Center serves as the access point for publicly funded long-term care. It provides information to the Elderly and their families on a broad range of programs, while informing them of their long-term care options and assisting them with applying for these benefits. The Resource Center is required to collect and track data, which they submit to the State for reimbursement of the actual costs incurred for all allowable functional screening activity performed and expenses incurred while performing information and assistance duties that are Medicaid (MA) eligible. As the time reporting percentage increases, revenues increase.

This transfer reflects an increase in Resource Center Medicaid Eligible 100% time reporting revenue of \$91,561, which is offset by a reduction in revenue of \$1,299 in the Resource Center Allocation, and \$6,551 in Resource Center Elder Abuse funds, resulting in a net revenue increase of \$83,711. This increase is completely offset by an increase in expenditures, which includes: \$30,000 in direct client services for Elder Abuse and \$53,711 in emergency one-time services, wats reviews, and corporate guardianship client services.

Also included in this transfer is an increase in revenue of \$4,013 in Nutrition Programs, which is offset by a reduction in reimbursement revenues of \$4,013 for the Nutrition Services Incentive Program (NSIP).

In addition, the department is also requesting that \$10,000 in revenue from the Resource Center Emergency fund be used to fund the direct services contract with Interfaith Older Adults to offset increased costs in the Alzheimer's Family Caregiver Support Program due to increased demand.

This transfer would allow the department to receive the increased revenue and realign expenditures accordingly.

Approval of this transfer would result in a \$0 tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
6) <u>8527 – DHHS Special Needs Administration</u>		
8773 – Housing Capital		\$650,000
2699 – Other Federal Grants and Reimbursements	\$650,000	

A transfer of \$650,000 is requested by the Interim-Director, Department of Health and Human Services to recognize increased revenue and associated expenditures related to the Department of Housing and Urban Development (HUD) Neighborhood Stabilization Program funds. These funds will provide partial financing to a local non-profit organization, Stay In Balance, for a supportive housing development located at 1515 North Farwell Avenue. These funds will be used to create 18 supportive housing units at Balance Point Apartments, for the patients of Milwaukee County’s Behavioral Health Division (BHD) who have mental illnesses.

This is a one-time fund transfer from the City of Milwaukee to Milwaukee County’s Housing Division that would allow the developer of these apartments to purchase the building. However, the developer will fund the costs to rehab this facility.

Approval of this transfer will result in a \$0 tax levy impact to the Department of Health and Human Services and Milwaukee County.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
7) <u>8387 – Children’s LTS</u>		
5199 – Salaries		\$ 53,010
5312 – Social Security		4,056
5420 – Employee Health Care		15,789
5421 – Employee Pension		10,656
8151 – Children’s Long Term Support Program		707,307
2251 – Children’s Long Term Support Program	\$790,818	

A transfer of \$790,818 is requested by the Interim-Director, Department of Health and Human Services (DHHS) to receive revenue and establish expenditure authority related to the Children’s Long-Term Support (CLTS) Program.

The State of Wisconsin Department of Health Services (DHS) 2009-2011 biennial budget included expanded funding for the CLTS Waiver program to permit counties to serve additional eligible children with disabilities and their families. With this expanded funding, it is anticipated that 130 additional children will receive funding for services. Prior to this expansion, the Disabilities Services Division (DSD) was able to serve approximately 65 children and families.

In addition, DHS is also funding CLTS Youth Transition slots targeting young adults who are turning 18 years of age, who are making the transition to Family Care for services. It is anticipated that over 100 additional slots will be available to children for up to 12 months to provide transition services to Family Care.

Of the total increased funding from DHS, \$707,307 will be used to offset service expenditures and \$83,511 will be used to offset the funding of 3.0 FTE Human Service Worker positions in DHHS in 2010. These positions are currently unfunded and will provide administrative support to facilitate the program expansion. These positions will be included in the Department’s 2011 Recommended Budget.

No tax levy impact results from this fund transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
8) <u>8440 – Income Maintenance Payments</u>		
6816 – MA Transportation Payments		\$1,900,000
2255 – Social Services Purchase	\$1,900,000	

A transfer of \$1,900,000 is requested by the Interim-Director, Department of Health and Human Services to recognize increased revenue and associated expenditures related to the Medical Assistance (MA) Transportation Program in the Economic Support Division.

Because the State of Wisconsin assumed the operation of Income Maintenance and Child Care programs in Milwaukee County, the 2010 Adopted Budget eliminated payments for MA Transportation. Subsequently, the State requested that DHHS process payments from the transportation vendors and agreed to reimburse the County for related staff costs.

In April 2010, a fund transfer was approved for \$6 million in expenditures and offsetting revenue for this program. This fund transfer recognizes additional revenue and establishes associated appropriations to meet the projected year-end budget of \$7.9 million.

Approval of this transfer will result in a \$0 tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

09-30-10

B CAPITAL IMPROVEMENTS

File No. 10-1  
(Journal, December 17, 2009)

(Item 21)

Action Required

Finance Committee

County Board (Majority Vote)

WHEREAS, your committee has received from the Department of Administrative Services, Fiscal Affairs, departmental requests for transfer to the 2010 capital improvement accounts and the Director finds that the best interests of Milwaukee County will be served by allowance of such transfers;

THEREFORE, BE IT RESOLVED, that the Director, Department of Administrative Services, is hereby authorized to make the following transfers in the 2010 capital improvement appropriations:

	<u>From</u>	<u>To</u>
1) <u>WA153022 – Jet Bridge Replacement</u>		
8501 – Bldg/Structures New (Cap)		\$1,050,000
4707 – Airport Capital Improvement Reserve	\$1,050,000	

An appropriation transfer of \$1,050,000 is requested by the Director of the Department of Transportation and Public Works (DTPW) to reallocate expenditure authority from the Airport Capital Improvement Reserve Fund to a new capital project, WA153022 – Jet Bridge Replacement.

The fund transfer will provide expenditure authority to replace two county-owned passenger bridges located at gates E60 and E61. The Airport Director indicates these bridges are obsolete due to their age and short length, and cannot reach the passenger access doors on modern regional jets.

The bridges would be replaced with updated structures that have three telescoping sections, providing sufficient length to reach modern regional jets. The Airport Director indicates that, based on preliminary usage plans under the draft Master Lease Agreement renewal, it is likely that regional jets will be using the two gates. The airport will begin the process of purchasing the new jet bridges upon passage of the transfer, with an anticipated six-month lag time to receive the new equipment.

The Airport Capital Improvement Reserve fund has sufficient funding for this project, with a current balance of \$3,270,954.

This transfer has no net tax levy effect.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
2) <u>WH083012 – Silver Spring – N. 124<sup>th</sup></u>		
6146 – Prof. Services Cap/Major Maint.	\$425,000	
2699 – Other Federal Grants & Reim		\$340,000
4907 – Bond and Note Proceeds		85,000
<u>WH088012 – North Shop Salt Shed</u>		
4907 – Bond and Note Proceeds	\$85,000	
6146 – Prof. Services Cap/Major Maint.		\$85,000

An appropriation transfer of \$510,000 is requested by the Director of the Department of Transportation and Public Works (DTPW) to reallocate expenditure authority from capital project WH083012 – Silver Spring – N. 124<sup>th</sup> Street, to capital project WH08012 – North Shop Salt Shed.

Expenditure authority is being transferred into the North Shop Salt Shed because bids for its design and construction have come in at approximately \$85,000 over the 2010 Adopted Budget level of \$300,000. Due to workload, the design phase of this project was completed by outside consultants, for which no funding was budgeted in the project. The expenditure authority is being transferred out of capital project WH083012 – Silver Spring – N. 124<sup>th</sup> Street. The project will require \$2,146,420 in county funding for twenty percent of the total project cost (\$10,732,100), but \$3,140,131 is budgeted, for a surplus of \$993,711.

This transfer has no net tax levy effect.

TRANSFER SUBMITTED TO THE COUNTY EXECUTIVE 09/14/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
3) <u>WJ056012 – Video Visitation</u>		
8509 – Other Building Improvements		\$446,800
4907 – Bonds and Notes	\$446,800	
<u>WJ052012 – Replace Water Pipe North Building</u>		
8509 – Other Building Improvements	\$446,800	
4907 – Bonds and Notes		\$446,800

An appropriation transfer of \$446,800 is requested by the Office of the Sheriff to reallocate \$446,800 expenditure authority and general obligation bonds from WJ052 Replace Water Pipe North Building to WJ056 County Correctional Facility South (CCFS) Video Visitation.

The 2010 Adopted Capital Improvements Budget included expenditure authority of \$435,000 for WJ056 Video Visitation to construct a video visitation area at the County Correctional Facility South similar to the

system at the County Correctional Facility Central. The project includes the construction of two visitation booths in each of the 33 dorms at the CCFS, including wiring, handset installation, flat panel video equipment and computers. Viewing booths with similar equipment would be constructed in the visiting area. The responses to a request for proposals (RFP) for the project were received in the Summer of 2010 and the winning bid for the contract was \$881,800, which is \$446,800 over the original estimate. The cost increase is not indicative of any change to the scope of the project.

In 2009, \$1,048,500 was approved for WJ052 Replace Water Pipe North Building to replace the piping. The eight dorms that are housed in the main facility or North building were built in 1949 and the piping had not been replaced. The piping was originally cast in the concrete wall and had begun to rot away. This resulted in water leaking in to the dorms at a high frequency. This project replaced the rotted piping from the wall to the shower in four dorms in 2009 and four dorms in 2010.

There are surplus funds in project WJ052 Replace Water Pipe North Building. This project was completed under budget largely due to many portions of the work being performed by in-house staff versus contractors. In addition, some of the piping had been replaced as a part of Capital Project WJ053012 – Replace Toilets in CD Dorm, as well as repairing leaks as they occurred using operating maintenance funds.

Therefore, this appropriation transfer reallocates \$446,800 of expenditure authority and general obligation bonds from WJ052 Replace Water Pipe North Building to WJ056 County Correctional Facility South (CCFS) Video Visitation.

There is no tax levy impact from this transfer.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
4) <u>WP188012 Countywide Scoreboard Replacement Program</u>		
4930 – Gifts and Donations	\$40,000	
8527 – Land Improvements (CAP)		\$60,000
9705 – Park Services		15,000
<u>WP172042 LaFollette Park Pavilion HVAC Replacement</u>	\$35,000	
8527 – Land Improvements (CAP)		

An appropriation transfer of \$75,000 is requested by the Directors of Parks, Recreation and Culture and Transportation and Public Works to recognize unanticipated revenue and to move expenditure authority from Capital Project WP172042 LaFollette Park Pavilion HVAC Replacement to WP188012 Countywide Scoreboard Replacement Program.

The Department of Parks, Recreation and Culture received a donation of \$40,000 from the Brewers Community Foundation for the purchase of scoreboards. The donation will allow for the purchase of 8 scoreboards in various baseball and softball fields in the Parks system. The donation will pay for the scoreboards, but requires the Parks Department to cover the installation costs, which are estimated to be \$35,000. The installation cost estimate includes the purchase of I-beams, concrete and electrical supplies and

labor associated with the installation. The funds will be reallocated from capital project WP172042 LaFollette Park Pavilion HVAC Replacement. The construction contract has been awarded for the LaFollette project and the Department anticipates a surplus of approximately \$80,000.

This fund transfer has no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
5) <u>WP132012 Mitchell Domes Generator</u>		
8509 - Other Building Improvement (CAP)	\$150,000	
6146 - Prof. Services - CAP/Major Maintenance	25,000	
<u>WP132032 Mitchell Domes Reflecting Pools</u>		
8509 - Other Building Improvement (CAP)		\$175,000
<u>WP172172 Mitchell Domes Roof</u>		
8501 - Buildings/Structures New (CAP)		\$85,295
6146 - Prof. Services - CAP/Major Maintenance		15,000
7930 - Photo, Prtg, Repro & Binding		500
6030 - Advertising		500
2999 - Revenue from Other Governmental Unit	\$101,295	

An appropriation transfer of \$276,295 is requested by the Directors of Parks, Recreation and Culture and Transportation and Public Works to reallocate expenditure and revenue for several projects located at the Mitchell Park Domes.

The Parks Department was recently awarded a grant from the Milwaukee Metropolitan Sewerage District (MMSD) in the amount of \$101,295 to install a green roof system at the Domes. The green roof system will allow the rainwater to absorb on the roof, as opposed to draining into the storm sewer system. The change in scope will increase the total cost of the roof project from the original \$150,000 that was budgeted to \$251,295. The project will replace the roof over the lobby area of the Domes with a green roof, as well as restore proper drainage to the structural nodes on the metal framing that supports the glass on each dome.

Beyond repair of the roof the project will integrate the reflecting pools into the project. The original budget for the reflecting pools was \$281,200. The fund transfer will increase expenditure authority by \$175,000. The pools will be converted into pervious areas with below grade storm water drainage. The stored storm water will be used to irrigate the green roof and other landscaping on the grounds. Since the entry way will be impacted by the replacement of the pools, the Department will replace the walkway at the entrance to the Domes.

The appropriation transfer will reallocate \$175,000 in expenditure authority from the Mitchell Domes Generator Replacement project to the Mitchell Domes Reflecting Pool project. Funds are available in the Mitchell Domes Generator Replacement project because bids were lower than the budgeted amount. The construction contract has been awarded and the generator project has a surplus of \$197,000.

This fund transfer has no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

	<u>From</u>	<u>To</u>
6) <u>9525 Zoo Major Maintenance</u>		
8502 – Major Maintenance Building	\$10,000	
<u>WZ014622 Zoo ARC HVAC Replacement</u>		
8509 – Other Building Improvement (CAP)		\$39,000
<u>WZ014612 Zoo Bird Winter Quarter HVAC Replacement</u>		
8509 – Other Building Improvement (CAP)	\$5,000	
<u>WZ014642 Zoo Small Mammal HVAC Replacement</u>		
8509 – Other Building Improvement (CAP)	\$23,446	
6146 – Prof Serv- CAP/Major Maintenance	554	
<u>WZ038012 Peck Center HVAC Replacement</u>		
8501 – Buildings/Structures New (CAP)	\$30,000	
<u>WZ038022 Peck Boardwalk Electrical Piping Replacement</u>		
8509 – Other Building Improvement (CAP)		\$30,000

An appropriation transfer of \$69,000 is requested by the Directors of the Zoological Department and Transportation and Public Works to reallocate expenditure authority from various Zoo capital projects to complete the replacement of the Aquatic Reptile Center (ARC) HVAC System Replacement and to replace electrical piping along the Peck Pavilion Boardwalk.

The construction estimates for the ARC HVAC replacement were \$39,000 over the budgeted amount of \$185,427, which is partially due to roof repairs that were not included in the original scope of work. The section of the roof where repairs are needed would be located under the new HVAC system and should be addressed before the new system is installed. The estimate for the roof repairs is \$10,000. The roof repairs are not eligible for bond financing; therefore, \$10,000 is transferred from the Zoo operating budget. Financing for the additional \$39,000 for the ARC HVAC replacement will be provided from surplus funds in the Small Mammal HVAC Replacement project and the Bird Winter Quarters HVAC Replacement project. Both of the projects are completed and the combined surplus from the two projects is approximately \$40,000.

This appropriation transfer reallocates \$5,000 from the Winter Quarters HVAC project, \$24,000 from the Small Mammal HVAC project and \$10,000 from the operating budget to the ARC HVAC Project. The

original budget for the ARC HVAC project was \$185,427 and upon approval of the transfer the total budget for the project will be \$224,427.

The transfer will also reallocate \$30,000 from the Peck Center HVAC Replacement project to the Peck Boardwalk Electrical Piping Replacement project. The Peck Boardwalk Electrical Piping Replacement is a newly created sub-project within the Peck Center HVAC Replacement project. The Zoo discovered that the piping was sagging and is in immediate need of replacement. The conduit and wiring has rusted over the years due to salting during snow removal. The project will remove 240 feet of old conduit and replace all the conduit and wiring under the deck. The Peck Center HVAC Replacement project has been bid out and will be completed under budget.

This fund transfer has no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

09-30-10

C DEPARTMENTAL-CAPITAL OUTLAY

File No. 10-1  
(Journal, December 17, 2009)

(Item 22)

Action Required

Finance Committee  
County Board (Majority Vote)

WHEREAS, department requests for transfers within their own accounts have been received by the Department of Administration, Fiscal Affairs, and the Director finds that the best interests of Milwaukee County will be served by allowance of such transfers;

THEREFORE, BE IT RESOLVED, that the Director, Department of Administration, is hereby authorized to make the following transfers in the 2010 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) <u>5046 – Former 440<sup>th</sup> Air Force Base</u>		
8501 – Major Mtce Buildings Cap	\$500,000	
<u>5041 – GMIA Administration</u>		
8501 – Major Mtce Buildings Cap		\$500,000

An appropriation transfer of \$500,000 is requested by the Director of the Department of Transportation and Public Works (DTPW) to reallocate expenditure authority within the airport division due to a change in scope of an operating capital outlay project.

In the July Board cycle, a fund transfer was approved that would fund the renovation of office space at the former 440<sup>th</sup> Air Force Base at General Mitchell International Airport (GMIA), and relocation of Airport Engineering staff from the GMIA administration building to that space. The funding was provided from the Airport Capital Improvement Reserve Account. The engineering staff was being relocated because the Transportation Security Administration (TSA) requested additional space within the administration building.

Since the July Board cycle, GMIA staff has further analyzed space allocations. As a result of this analysis, GMIA staff has determined that, instead of relocating to the former 440<sup>th</sup>, renovating and expanding existing space at the administration building could be accomplished at similar cost. This option would enable engineering staff to remain in close proximity to other GMIA administrative functions, and would provide the additional space required by TSA. Additionally, a future capital project will complete the build-out of other space at the administration building to provide expanded space for security training and clearance of airport and tenant personnel who require access to secured areas. By changing the scope of work envisioned in the July fund transfer, the two projects will provide a consolidated workspace for both security and airport engineering functions.

This transfer has no tax levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

09-30-10

D DEPARTMENTAL – OTHER CHARGES

File No. 10-1  
(Journal, December 17, 2009)

(Item 23)

Action Required

Finance Committee

County Board (Majority Vote)

WHEREAS, department requests for transfers within their own accounts have been received by the Department of Administrative Services, Fiscal Affairs, and the Director finds that the best interests of Milwaukee County will be served by allowance of such transfers;

THEREFORE, BE IT RESOLVED, that the Director, Department of Administrative Services, is hereby authorized to make the following transfers in the 2010 appropriations of the respective listed departments:

	<u>From</u>	<u>To</u>
1) <u>1150 – DAS Risk Management</u>		
8041 – Workers Comp-Medical		\$100,000
8043 – Workers Comp-Claims		273,000
<u>1150 – Risk Management</u>		
4707 – Contribution from Reserves	\$373,000	

A transfer in the amount of \$373,000 is being requested by the Risk Manager to increase the appropriation for Workers Compensation Expenses.

Based on the first eight months of the year, actual expenses for Worker’s Compensation are projected to exceed the budgeted amount by \$723,000. This is due to the severity of several injuries and a large number of settlement payments due to work related injuries.

The Division projects savings in insurance premiums that can offset \$350,000 of the additional expense relating to Worker’s Compensation. This transfer covers the remaining expense with a Contribution from the Reserve for Risk Management. Based on the actuarial report, the Worker’s Compensation Reserve has a surplus which can be used to offset 2010 expense.

There is no levy impact as a result of this transfer. If this transfer is not approved, Risk Management would deficit by \$373,000, which would have a levy impact.

TRANSFER SIGNED BY THE COUNTY EXECUTIVE 09/15/10.

TRANSFER APPROVED IN FINANCE AND AUDIT COMMITTEE 09/23/10 (VOTE 7 - 0)

## 2010 BUDGETED CONTINGENCY APPROPRIATION SUMMARY

2010 Budgeted Contingency Appropriation Budget \$5,800,000

### Approved Transfers from Budget through July 29, 2010

6050-Contract Pers. Serv. Short (Estabrook Dam Stabilization Study)	\$ (200,000)
9000-Parks (Farm & Fish Hatchery)	\$ (54,500)
9910-UW Extension (Settlement Agreement)	\$ (47,000)

Unallocated Contingency Balance July 29, 2010

\$ 5,498,500

Transfers Approved in Finance & Audit Committee through 09/23/10

Total Transfers Approved in Finance & Audit Committee

\$ -

Net Balance

\$ 5,498,500

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(ITEM 24) From the Controller, requesting relief from a waiver of Section 56.30(9), Milwaukee County Ordinances, by recommending payment of the invoices in the amount of \$10,000 submitted from Cambridge Advisory Group, prior to full and complete execution and signature of their professional services agreement, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, Section 56.30(9) of the Milwaukee County Ordinances provides that no payment shall be made to professional service contractors prior to proper execution of a contract, including required departmental reviews and sign-offs; and

WHEREAS, the Department of Administrative Services is not permitted by Ordinance to exempt departments from Section 56.30(9) but is able to make payments following authorization of the Milwaukee County Board of Supervisors; and

WHEREAS, the Department of Administrative Services needed actuarial services to review the County's calculation of other post employment benefit health care costs for former Doyne Hospital employees, and to testify before Medicare and requested Cambridge Advisory Group to do this work; and

WHEREAS, the work was performed prior to the contract with Cambridge Advisory Group being completed; and

WHEREAS, the urgency of this matter did not allow for the contract to be executed prior to the service being performed; and

WHEREAS, at its meeting on September 23, 2010, the Committee on Finance and Audit recommended approval of the said request (vote 7-0); now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby authorize the Director of Administrative Services, to pay invoices submitted by Cambridge Advisory Group for work on the Doyne Hospital Post Retirement Health Care calculations and testimony before Medicare.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** 09/02/2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Payment of Professional Service Contracts

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input checked="" type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input checked="" type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><br><input type="checkbox"/> Decrease Operating Expenditures<br><br><input type="checkbox"/> Increase Operating Revenues<br><br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><br><input type="checkbox"/> Decrease Capital Expenditures<br><br><input type="checkbox"/> Increase Capital Revenues<br><br><input type="checkbox"/> Decrease Capital Revenues<br><br><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
<b>Operating Budget</b>	Expenditure	10,000	0
	Revenue		
	Net Cost	10,000	0
<b>Capital Improvement Budget</b>	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. <sup>1</sup> 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 Board is being requested to authorize, by resolution, the payment of invoices for a professional service contract for Cambridge Advisory Group. In accordance with 56.30(9), the invoices are not being paid because contract work was performed prior to the contract being approved. The ordinance does allow for payment, if the board authorizes payment by resolution.

B. Approval of this resolution will authorize the department to pay for the contract work of \$10,000 from 2010 available funds. This is a one-time cost for payment of the contract work.

C. There is no budgetary impact associated with this contract, since work will be paid with available budgeted funds.

D. No assumptions or interpretations were utilized to calculate this fiscal note, since actual invoices were used.

Department/Prepared By Department of Administrative Services - Scott B. Manske

Authorized Signature



Did DAS-Fiscal Staff Review?  Yes  No

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

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4 (ITEM 25) From the Milwaukee County Task Force on Work Reform for Men, requesting  
5 Milwaukee County issue a one year consultant contract, not to exceed \$125,000, to  
6 Northcott Neighborhood House, commencing October 1, 2010, through September 30,  
7 2011, to provide more focus on equitable employment opportunities in work reform,  
8 particularly fathers and other males of color, by recommending adoption of the following:  
9

10 **A RESOLUTION**  
11

12 WHEREAS, the 2008 Adopted Budget appropriated \$125,000 to retain outside  
13 consultant assistance and convene a task force of five members jointly appointed by the  
14 County Executive and County Board Chairman to make recommendations in order to  
15 provide more focus and equitable employment funding in work reform for men,  
16 particularly fathers and other men of color; and  
17

18 WHEREAS, in 2008, Milwaukee County administratively entered into a six month  
19 professional services contract with Mr. Gerard A. Randall doing business as The Lazarus  
20 Group, LLC, for outside consulting services to the Milwaukee County Task Force on Work  
21 Reform for Men; and  
22

23 WHEREAS, on September 25, 2008, the County Board adopted a resolution (File  
24 No. 08-335) approving a contract extension of \$75,000 to the Lazarus Group, LLC, through  
25 March 31, 2009, to provide consulting services to the Milwaukee County Task Force on  
26 Work Reform for Men, to provide a focus on equitable employment opportunities in work  
27 reform, particularly fathers and other males of color; and  
28

29 WHEREAS, the 2009 and 2010 Adopted County Budget includes a \$125,000  
30 appropriation in the County Board Office of Community Business Development Partners to  
31 retain additional consulting assistance and related services to the Task Force on Work  
32 Reform for Men; and  
33

34 WHEREAS, in order to provide an open and inclusive process, the consulting  
35 contract was put out through a request for proposals process (RFP) that was reviewed by  
36 five panel members, one employed by Milwaukee County; and  
37

38 WHEREAS, the selection panel recommends that Northcott Neighborhood House,  
39 Inc. based on the highest proposal score of the collective review panel, be selected for a  
40 one-year contract beginning October 1, 2010 through September 30, 2011; and  
41

42 WHEREAS, under Chapter 56 of the Milwaukee County Ordinances, County Board  
43 approval is required for any professional services contract extension that extends the total  
44 reimbursement beyond \$50,000 dollars to the same vendor; and  
45

46           WHEREAS, at its meeting on September 23, 2010, the Committee on Finance and  
47 Audit recommended approval of the said request (vote 7-0); now, therefore,  
48

49           BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
50 authorizes and approves a contract for the period October 1, 2010, through September 30,  
51 2011, in an amount not to exceed \$125,000 to retain consultant assistance and related  
52 services from Northcott Neighborhood House, Inc. to the Milwaukee County Task Force on  
53 Work Reform for Men, to provide more focus on equitable employment opportunities in  
54 work reform, particularly fathers and other males of color.

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## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:**

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:**

Authorizing and approving a contract be into for the amount of \$125,000 to retain and outside consultant for continued Phase II services and recommendations to the Milwaukee County Task Force on Work Reform for Men, to provide an equitable employment opportunities in work reform particularly for fathers and other men of Color

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><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
<b>Operating Budget</b>	Expenditure	\$125,00	
	Revenue	0	
	Net Cost	\$125,000    0	
<b>Capital Improvement Budget</b>	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.<sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A) This resolution authorizes upon Committee and County Board approval that a contract be entered into for \$125,000 with Wisconsin Correctional Services (WCS) as an outside consultant to provide Phase II continued services and recommendations per the Task Force on Work Reform for Men the focus to be on equitable employment opportunities in work reform particularly for fathers and other Men of Color.

B) All associated funds have been appropriated in the 2010 Milwaukee County Adopted Budget. There is no additional tax levy impact.

C) N/A

D) No assumptions made.

Department/Prepared By

Authorized Signature

Did DAS-Fiscal Staff Review?

Yes

No

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

1 By the Committee on Health and Human Needs, reporting on:

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3

File No. 10-339

4

5

(ITEM NO. 1) A Resolution to **RECEIVE AND PLACE ON FILE** (vote 6-0), a report from the  
6 Director, Department on Aging, dated September 13, 2010, providing an overview of  
7 Aging's 2011 Requested Departmental Budget.

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09/24/2010

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**County of Milwaukee**  
**Inter-Office Communication**

**Date:** September 13, 2010  
**To:** Peggy West, Chair, Health and Human Needs Committee  
**From:** Stephanie Sue Stein, Director, Department on Aging  
**Subject:** Overview of 2011 Budget Request from Department on Aging

Attached please find copies of the Requested 2011 Budget for the Fund 1 (Unit 7900) as submitted by Milwaukee County Department on Aging.

The requested budget for 2011 covers Administration (Director's Office and Fiscal and Support Services Division), Area Agency Services Division, and the Aging Resource Center. The 2011 budget request totals \$19,078,219 and includes a \$1,695,329 increase in expenditures, a \$1,266,674 increase in revenues, and a \$428,655 increase in tax levy.

The 2011 budget request includes a \$460,474 increase (from \$179,029 to \$639,503) in Adult Protective Services funding (representing a 60% Aging/40% Disabilities split, favoring the Aging population with greater demonstrated need), a \$507,137 increase in Resource Center 100% time reporting reimbursement, and a \$72,361 increase in Chronic Disease Self-Management Program to provide access to healthy living programs, increase referral resources and elder participation, and focus on outreach. Subsequent to adoption of the 2010 budget, the State restored Alzheimer's Family Caregiver Support Program funding to prior year level of \$242,158. The 2011 budget request reflects this funding increase of \$242,158.

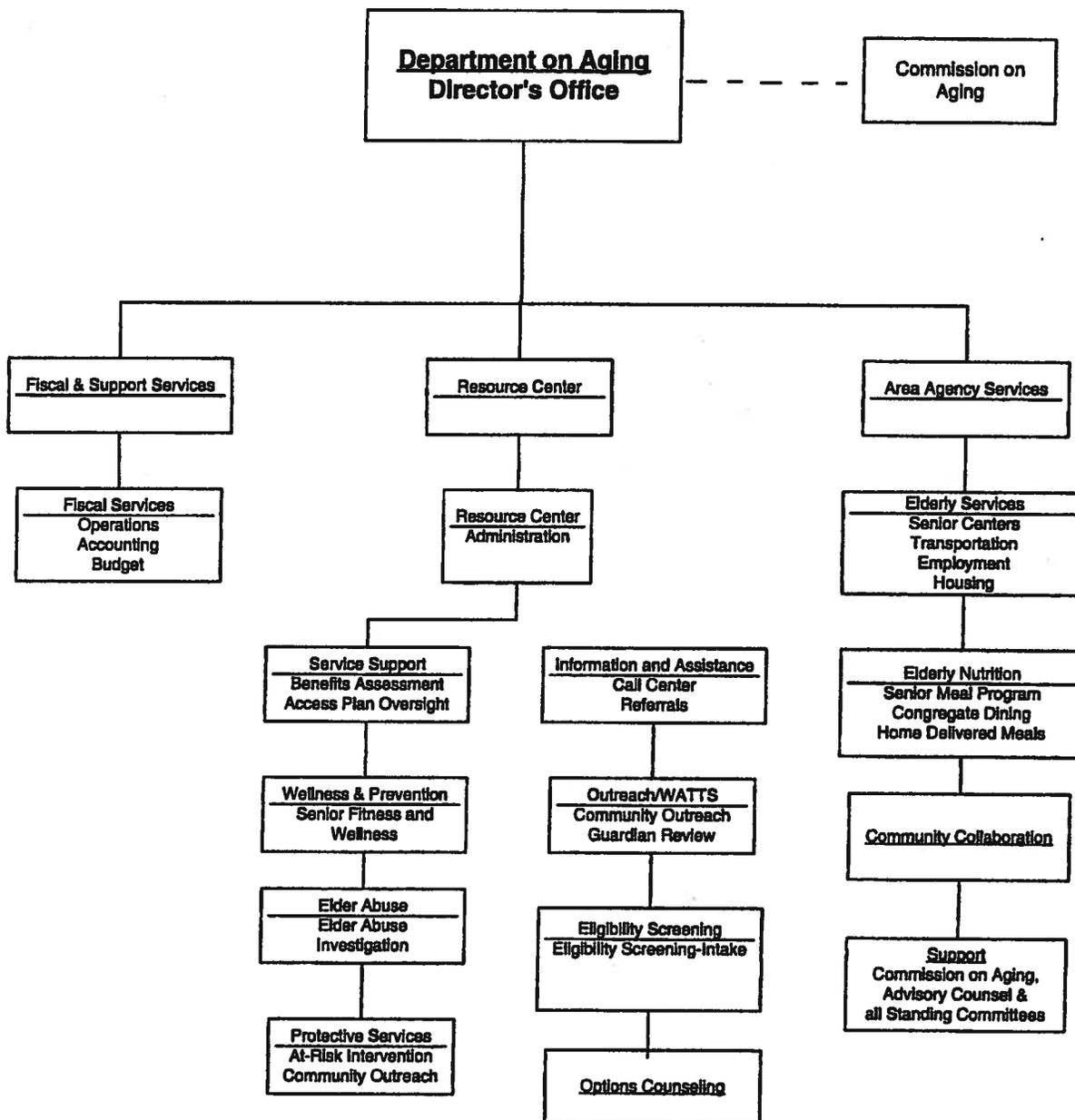
Also, in the 2011 budget request, Aging funded 2 HSW positions for elder abuse investigations, emergency request, and protective services. The Family Care (CMO) separation from Aging included the transfer of 2.5 FTEs to the Department of Family Care as well as some member service costs.

If you have any questions, please contact me at 289-6876.

**Attachment**

**cc:** County Executive Scott Walker  
Supervisor Lee Holloway  
Thomas Nardelli  
Jennifer Collins  
Joseph Carey  
Cynthia Archer  
Steve Kreklow  
Jonette Arms  
Jeanne Dorff  
Nubia Serrano  
Mary Proctor Brown  
Chet Kuzminski  
Greg Reiman  
Gary Portenier  
Pat Rogers

# DEPARTMENT ON AGING (7900)



## REQUESTED 2011 BUDGET

DEPT: Department on Aging

UNIT NO. 7900  
FUND: General - 0001

### MISSION

The mission of the Milwaukee County Department on Aging (MCDA) is to affirm the dignity and value of older adults of this County by supporting their choices for living in and giving to our community.

### Budget Summary

	2011	2010/2011 Change
<b>Expenditures</b>	<b>19,078,214</b>	<b>1,695,329</b>
<b>Revenue</b>	<b>17,055,113</b>	<b>1,266,674</b>
<b>Levy</b>	<b>2,023,101</b>	<b>428,655</b>
<b>FTE's</b>	<b>77.0</b>	<b>(2.6)</b>

### Major Programmatic Changes

- Separation of the Department on Aging and the Care Management Organization (CMO)
- Adult Protective Services expanded funding
- Wellness Program continues, with a federal American Recovery and Reinvestment Act (AARA) grant for Chronic Disease Self Management

### OBJECTIVES

- A 2010-2012 Area Plan will be executed by the Department on Aging and monitored by the Commission on Aging.
- Continue automation initiative to provide access to information and forms on the Internet for potential vendors for the Area Agency Services 2011 Request for Proposal process. Provide a similar secure internet access area for continuing vendors eligible for a 2011 contract extension.
- Provide access to Healthy Living programs including supervised fitness programs, (at five senior fitness centers) physical therapy services and Chronic Disease Self Management in collaboration with University of Wisconsin, Milwaukee College of Health Sciences and Therapy Plus Wisconsin. Physical therapy services will be available at Washington, Wilson, Rose and OASIS centers.
- Department on Aging Fiscal and Department of Administrative Services will realign responsibilities based on the personnel changes associated with the separation of the Care Management Organization.
- MCDA will implement meal site efficiency and consumer satisfaction changes to include: demographics, participation, home delivered meal dispatch locations, along with a special focus on meal site donations.
- Continue with support of the business community to promote, advocate, and celebrate senior residents' contributions to Milwaukee County communities through the Senior Hall of Fame, Senior Statesman, Nutrition Volunteer Recognition and Golden Idol.

### DEPARTMENTAL PROGRAM DESCRIPTION

The Milwaukee County Department on Aging was created in the 1991 budget to serve as Milwaukee County's designated Area Agency on Aging under the Older Americans Act and as the County's designated unit to administer aging programs. The Department plans for and services the growing needs of Milwaukee County's large and diverse older adult population. It is the one dedicated, specialized agency within Milwaukee County government to represent and serve the needs of the elderly.

## **REQUESTED 2011 BUDGET**

**DEPT: Department on Aging**

**UNIT NO. 7900**  
**FUND: General - 0001**

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The Department integrates several Federal and State revenue streams involving the Older Americans Act, the Senior Community Services Program, and Specialized Transportation Assistance Program for Counties (S85.21), Base Community Aids (BCA) and Family Care.

The Department is the designated Aging Resource Center (RC) for older people in Milwaukee County under the State of Wisconsin's Family Care Initiative.

The sixteen member Commission on Aging is the lead county citizen board responsible for assessing the major aging issues and needs concerning the sixty (60) and over age population and for reviewing the planning and service efforts of organizations and institutions in the county and its aging network, and for making recommendations thereof. The Commission on Aging functions through three standing committees; the Advocacy, Resource Center Oversight, and Service Delivery. The Advisory Council to the Commission on Aging is made up of thirty (30) persons representing the diversity of Milwaukee County. The Commission on Aging has also created permanent intergenerational Council and Wellness Council, which include members that represent the entire County of Milwaukee. Department on Aging serves as the administrative arm of the Commission on Aging.

The Department on Aging consists of three service areas:

**Administration** includes the Director's Office and the Fiscal and Support Services Division. The major functions of the Fiscal and Support Services Division include budget development and management, accounting, and personnel administration. The Division monitors departmental expenditures and revenues, reviews audits; reports service utilization and expenditures to County and State agencies, projects revenues and expenditures, and monitors compliance with funding source requirements. This Division also develops the Department's fiscal policies and assesses operations for effectiveness and efficiency.

**Area Agency Services** provides a comprehensive network of support services through community based agencies that assist older adults to remain independent in their homes. These programs are funded through the Older Americans Act and State revenue earmarked for elderly services. County tax levy funding is provided for program operation and maintenance of five county-owned senior center buildings. The Division is responsible for planning, research, and program development. In addition, unit staff solicits, monitors, evaluates and administers contracts for a variety of services in the community. Staff assists with contract development and coordinates the Request for Proposal process with other County departments.

The Area Agency Services Division provides staff support to the Milwaukee County Commission on Aging, its standing committees and the Advisory Council. The Advisory Council addresses issues identified in public hearings through three principle workgroups, including the Volunteer, Technology, and the Under-served Population workgroups. Division staff assists the Commission in conducting public hearings and needs assessments as required under Federal statute, provide technical assistance and serve as a resource for businesses, universities and volunteer organizations interested in meeting the needs of older adults in the community.

The Senior Meal Program, part of the Area Agency Services Division, is funded under Titles III-C-1 and 111-C-2 of the Older Americans Act, as well as other State and Federal funds received from the State of Wisconsin Bureau on Aging and Long Term Care Resources. The program also receives reimbursement for eligible elderly meals from the United States Department of Agriculture (USDA).

The purpose of the Senior Meal Program is:

- To provide older persons, particularly those with low incomes; low-cost, nutritionally sound meals in strategically located congregate sites. The program also seeks to reduce the social isolation of participants by providing supportive services including recreation, transportation, education and information about other programs and services available to older adults.

## **REQUESTED 2011 BUDGET**

**DEPT: Department on Aging**

**UNIT NO. 7900**  
**FUND: General - 0001**

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- To provide home-delivered meals five to seven days a week to eligible frail, homebound, older adults. The program assists older adults in remaining independent and living within their own homes and provides limited gap-filling services in addition to meals.

**The Aging Resource Center acts as the point of entry for the Department's Family Care and all other long-term care programs and is responsible for arranging short-term assistance for older adults with immediate or pressing needs. It is the primary source of quality information and assistive services on issues affecting persons 60 years of age and older and their family support networks.**

**As a major component of the State of Wisconsin Family Care initiative, this Division has six primary functions:**

- To provide Milwaukee County's older adults, their caregivers and the general public one central number to call for information about programs and services 24 hours a day;
- To provide pre-admission counseling to elders seeking residential placements;
- To determine eligibility for the Family Care and other Long Term Care Programs
- To provide community education to older adults, their families, and caregivers on a broad range of subjects, including wellness and prevention of functional decline.
- Options counseling for any resident sixty and over
- Investigating allegations of elder abuse and providing protective services, guardianships and protective placement services to vulnerable older adults

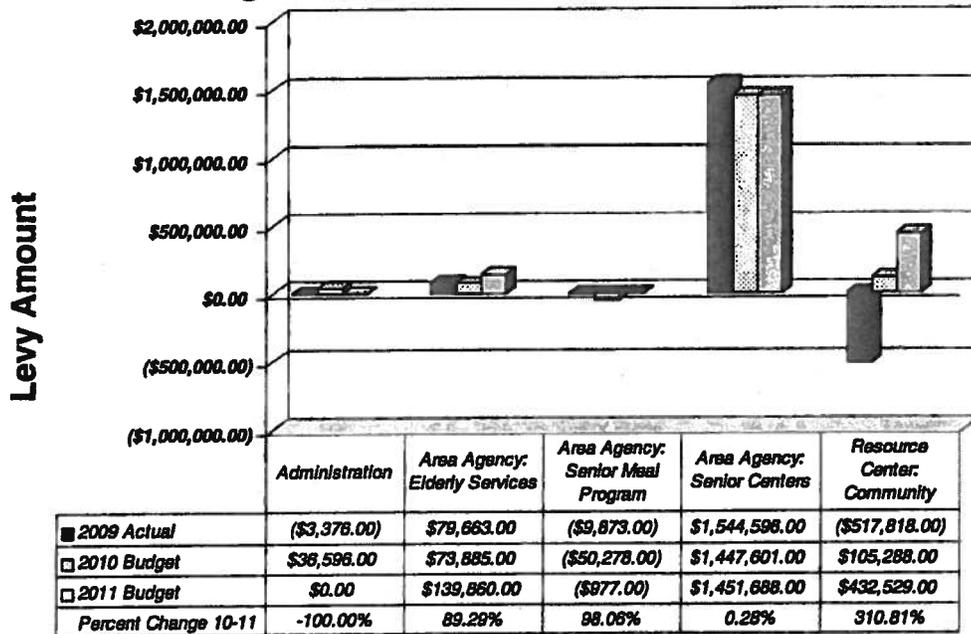
**Another integral function of the Resource Center is to coordinate daily with the State Income Maintenance staff (formerly Economic Support Division - Milwaukee County Department of Health and Human Services) to assure Medicaid eligibility compliance for persons choosing the Family Care benefit.**

**REQUESTED 2011 BUDGET**

**DEPT: Department on Aging**

**UNIT NO. 7900**  
**FUND: General - 0001**

**Organizational Levy Summary**



**Department**

**2011 BUDGET**

**Approach and Priorities**

- Redistribute State allocation of Adult Protective Services (APS) funding within Milwaukee County's Aging and Disability Resource Centers
- Maintain existing congregate and home delivered meal programs and senior center operations
- 2011 building space budgeted at 2010 cost per square footage levels
- Transfer the Human Resources Coordinator, one Accountant 1 and one Clerical Assistant 1 to the Care Management Organization

**Programmatic Impacts**

- Expand Adult Protective Services by funding two Human Service Worker (HSW) positions with additional State funding
- Alzheimer's Family and Caregiver Support Program will utilize contract services
- Expand Chronic Disease Self Management Program with a federal American Recovery and Reinvestment Act (ARRA) grant

**REQUESTED 2011 BUDGET**

**DEPT: Department on Aging**

**UNIT NO. 7900  
FUND: General - 0001**

***Budget Highlights***

***100% Time Reporting Initiative***

**(\$507,138)**

The Department on Aging continues its staff development and training efforts and timely staff reporting to more accurately reflect tasks in the State reimbursement module. More accurate and timely reporting of RC staff time expended on services such as Medicaid and Medicare enables Department on Aging to continue enhancement of Federal reimbursement revenue.

***Aging Resource Center Adult Protective Services (APS) funding increase***

**(\$460,474)**

The State allocation of Adult Protective Service funding was designated for the Aging and Disabilities Resource Centers. Accordingly the Department on Aging and Disabilities Services agreed to a 60% Department on Aging and 40% Disabilities Services allocation of funding. Thus, the Aging Resource Center Elder Abuse/Protective Service units will fund two Human Service worker positions to perform elder abuse investigations, emergency requests and protective services.

***Corporate Guardianship***

**(\$150,000)**

Milwaukee County is responsible for "court ordered" corporate guardian services. Through monitoring, Department on Aging Resource Center will reduce tax levy by eliminating financial support and errors of non-county petitioners ordering corporate guardianships. The RC will also reduce spending through better coordination of benefits on court ordered guardianships and an initiative to identify and engage volunteers to be guardians. In some volunteer cases, Corporate Guardians are awarded a small monthly stipend to offset expenses, thus reducing cost.

***Stanford - Chronic Disease Self Management Program (CDSMP) participation***

**(\$72,361)**

The federal American Recovery and Reinvestment Act (AARA) funding will allow the Department on Aging to provide access to Healthy Living Programs including supervised fitness programs, physical therapy services and Chronic Disease Self Management in collaboration with University of Milwaukee, Milwaukee College of Health Sciences and Therapy Plus Wisconsin. The Department on Aging will focus on outreach to the aging population and referral sources for elders; CMUS Doctors, Churches, and housing. The Stanford CDSMP funding will allow the Department on Aging to increase participation over the next two years from 281 to approximately 331. Physical therapy services will be available at Washington, Wilson, Rose and OASIS senior centers.

***Care Management Organization separation from the Department on Aging***

**\$0**

The State requires separation of the Care Management Organization (CMO) from the Aging and Disabilities Resource Center leadership. Due to the elimination of shared personnel services with the Department on Aging, effective January 1, 2011 three positions will be transferred to the CMO (the Human Resources Coordinator, one Accountant 1 and one Clerical Assistant 1).

***State Purchased Laptops and Scanners for Application, Eligibility and Screening***

**\$0**

The state purchased laptops and portable scanners for the Application, Eligibility and Screening section of the Resource Center. The equipment will be used in client homes for on-line entry of the functional screens and applications. The online entry of this information will help to expedite the timing of the complete process and in some cases eliminate the need for client follow up. With the expansion of Family Care through the independent IRIS (Include, Respect, I Self-Direct) system, the recertification workload has increased and automation is needed to expand capacity. The automation of applications will reduce the state's income maintenance workload and also help to speed up the financial review process, once again aiding in the Family Care expansion demands on the income Maintenance Division.

***Reuss Lease***

**\$0**

The lease at the Reuss building expires at the end of December 2010. A county-wide space planning report will be presented to the County Board outlining the available space within existing County owned facilities. The 2011 space cost budget was prepared under the assumption that no cost per square foot rate increase will occur for the Department on Aging on January 1, 2011.

**REQUESTED 2011 BUDGET**

**DEPT: Department on Aging**

**UNIT NO. 7900**  
**FUND: General - 0001**

**Alzheimer's Family and Caregiver Support Program (AFCSP) funding** **\$0**

Effective January 1, 2010, the State restored Alzheimer's Family and Caregiver Support Program funding to Milwaukee County. Milwaukee County's AFCSP senior population will continue to receive outreach support and monetary support for adult day-care, respite care and other long term care services. Approximately 75 families will receive respite care and other support services. The Department on Aging will continue to provide \$50,000 for the Alzheimer's Association of Southeastern Wisconsin. In 2011 the Department on Aging will contract with Interfaith to administer \$172,000 of the AFCSP funding to eligible Milwaukee County residents.

**Nutrition Donations** **\$0**

The Nutrition Program Coordinator will work with site supervisors and volunteers to increase donations. With the great discrepancy in donations per site, education and information will help to encourage donation participation to help maintain the meal sites.

In accordance to the Older Americans Act, eligible participants in the Senior Meal Program shall be provided an opportunity to voluntarily contribute to the cost of services. Such voluntary contributions must be used to provide supportive services directly related to nutrition services.

<b>Senior Meal Program</b>			
	<b>2010</b>	<b>2011</b>	
	<b>Budget</b>	<b>Budget</b>	<b>change</b>
Number of Meal Sites Open	31	31	-
Meals Served at Meal Sites	323,128	306,772	(16,356)
Home Delivered Meals	246,650	262,201	15,551
<b>Total Meals Served</b>	<b>569,778</b>	<b>568,973</b>	<b>(805)</b>

**State Income Maintenance** **\$62,134**

Department on Aging continues in an agreement with Wisconsin Department of Health Services due to the State assuming responsibility for Family Care Income Maintenance (IM) support staff in Milwaukee County effective January 1, 2010.

Department on Aging continues to assume financial responsibility for infrastructure costs for both Income Maintenance Family Care, Mental Health and Nursing Home staff co-located with the RC in the Reuss Building. In 2011, Infrastructure expenditure reallocations are based on FTE to reflect costs more equitably, including Information Management Services Division (IMSD) system support of \$196,802, building and space rental of \$138,380, phones of \$17,840 and office related supplies of \$19,629. The agreement allows for revenue reimbursement under the Medicaid system of 50% of infrastructure costs incurred by Department on Aging for IM staff, resulting in revenue reimbursement of \$186,328.

**REQUESTED 2011 BUDGET**

**DEPT: Department on Aging**

**UNIT NO. 7900  
FUND: General - 0001**

<b>BUDGET SUMMARY</b>				
<b>Account Summary</b>	<b>2009 Actual</b>	<b>2010 Budget</b>	<b>2011 Budget</b>	<b>2010/2011 Change</b>
Personal Services (w/o EFB)	\$ 4,402,682	\$ 4,301,426	\$ 4,349,865	\$ 48,439
Employee Fringe Benefits (EFB) Services	3,009,038	3,327,269	3,708,805	381,536
Commodities	785,584	775,040	697,979	(77,061)
Other Charges	1,281,018	1,281,519	1,334,415	52,896
Debt & Depreciation	6,504,490	6,409,036	6,418,866	9,830
Capital Outlay	0	0	0	0
Capital Contra	215,717	100,000	100,000	0
County Service Charges	0	0	0	0
Abatements	3,680,577	3,397,931	3,998,915	600,984
<b>Total Expenditures</b>	<b>(2,766,381)</b>	<b>(2,209,336)</b>	<b>(1,530,631)</b>	<b>678,705</b>
Direct Revenue	\$ 17,112,725	\$ 17,382,885	\$ 19,078,214	\$ 1,695,329
State & Federal Revenue	1,233,819	1,136,416	1,396,176	259,760
Indirect Revenue	14,785,739	14,652,023	15,658,937	1,006,914
<b>Total Revenue</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Direct Total Tax Levy	\$ 16,019,558	\$ 15,788,439	\$ 17,055,113	\$ 1,266,674
	1,093,167	1,594,446	2,023,101	428,655

<b>PERSONNEL SUMMARY</b>				
	<b>2009 Actual</b>	<b>2010 Budget</b>	<b>2011 Budget</b>	<b>2010/2011 Change</b>
Position Equivalent (Funded)*	0.8	79.6	77.0	(2.6)
% of Gross Wages Funded	98.3	98.6	98.1	(0.4)
Overtime (Dollars)	\$ 7,982	\$ 21,276	\$ 26,112	\$ 4,836
Overtime (Equivalent to Position)	0.2	0.4	0.5	0.1

<b>PERSONNEL CHANGES</b>						
<b>Job Title/Classification</b>	<b>Title Code</b>	<b>Action</b>	<b># of Positions</b>	<b>Total FTE</b>	<b>Division</b>	<b>Cost of Positions (Salary Only)</b>
Human Resources Coord-Aging	65850	Transfer Out	(1.00)	(1.00)	Administration	\$ (67,778)
Program Coordinator (RC)	57340	Unfund*	(1.00)	(1.00)	Resource Center	(54,170)
Accountant 1	4100	Transfer Out	(1.00)	(1.00)	Administration	(38,052)
Clerical Assistant 1	42	Transfer Out	(1.00)	(1.00)	Resource Center	(33,714)
Human Service Worker - Aging	56160	Fund**	2.00	2.00	Resource Center	107,088
<b>TOTAL</b>						<b>\$ (86,626)</b>

\* The Program Coordinator (RC) position is currently funded.

\*\* The 2 Human Service Worker - Aging positions are currently unfunded.

**REQUESTED 2011 BUDGET**

**DEPT: Department on Aging**

**UNIT NO. 7900  
FUND: General - 0001**

<b>ORGANIZATIONAL COST SUMMARY</b>					
<b>DIVISION</b>		<b>2009 Actual</b>	<b>2010 Budget</b>	<b>2011 Budget</b>	<b>2010/2011 Change</b>
Administration	Expenditure	\$ (2,318)	\$ 36,596	\$ 0	\$ (36,596)
	Revenue	1,058	0	0	0
	Tax Levy	\$ (3,376)	\$ 36,596	\$ 0	\$ (36,596)
Area Agency: Elderly Services	Expenditure	\$ 3,164,132	\$ 3,154,618	\$ 3,482,827	\$ 328,209
	Revenue	3,084,469	3,080,733	3,342,967	262,234
	Tax Levy	\$ 79,663	\$ 73,885	\$ 139,860	\$ 65,975
Area Agency: Senior Meal Program	Expenditure	\$ 4,857,243	\$ 4,949,865	\$ 4,982,433	\$ 32,568
	Revenue	4,867,116	5,000,143	4,983,410	(16,733)
	Tax Levy	\$ (9,873)	\$ (50,278)	\$ (977)	\$ 49,301
Area Agency: Senior Centers	Expenditure	\$ 1,544,596	\$ 1,447,601	\$ 1,451,688	\$ 4,087
	Revenue	0	0	0	0
	Tax Levy	\$ 1,544,596	\$ 1,447,601	\$ 1,451,688	\$ 4,087
Resource Center: Community Alternatives & Intervention Services	Expenditure	\$ 7,364,502	\$ 7,761,301	\$ 9,088,904	\$ 1,327,603
	Revenue	7,882,320	7,656,013	8,656,375	1,000,362
	Tax Levy	\$ (517,818)	\$ 105,288	\$ 432,529	\$ 327,241

*All departments are required to operate within their expenditure appropriations and their overall budgets. Pursuant to Section 59.60(12), Wisconsin Statutes, "No payment may be authorized or made and no obligation incurred against the county unless the county has sufficient appropriations for payment. No payment may be made or obligation incurred against an appropriation unless the director first certifies that a sufficient unencumbered balance is or will be available in the appropriation to make the payment or to meet the obligation when it becomes due and payable. An obligation incurred and an authorization of payment in violation of this subsection is void. A county officer who knowingly violates this subsection is jointly and severally liable to the county for the full amount paid. A county employee who knowingly violates this subsection may be removed for cause."*

## 2011 Requested Budget 5% & 10% Tax Levy Reductions Plans

County Board Resolution File Number 90-1052 requires that all department and agency directors submit, as part of their Requested Budget, a supplemental report identifying alternative program/service levels. This supplemental report must include, in priority order, additional 5% and 10% tax levy reductions beyond the maximum tax levy request limit and specific definition of the consequences of reduced funding or not funding a particular service or program.

Org Unit	Org Unit Name	2010 Tax Levy	5% Reduction	10% Reduction
7900	Department on Aging	\$2,023,101	(\$101,155)	(\$202,310)

Rank	Program Area	Program Change	5% Levy Change
	Area Agency/Resource Center	Purchase Contracts / Office related supplies	(\$101,155)

- Please list below program changes that would generate savings of up to 5%.  
**A 2.5% expenditure reduction primarily in all Area Agency (non-Nutrition funded) purchase of service contracts providing various types of programs and services by community agencies.**
- What modifications are necessary to the program identified above to achieve the reduction?  
**Modify request for proposals to reflect funding reductions in program and service levels.**
- What is the expenditure and revenue impact of the change?  
**Expenditures decrease \$101,155**  
**Revenue impact \$0**
- What position actions occur as a result of this change? What is the fiscal effect of those positions? What are the fringe benefit savings?  
**None**
- What services are affected by this program change?  
**Tax levy reduction will affect various community services including multicultural outreach, advocacy, benefit specialist, counseling, senior employment, respite, senior center programming and transportation.**
- What constituents are affected and how are they affected?  
**Residents of Milwaukee County 60 years and older needing: outlets from isolation through socialization; transportation for grocery shopping and visits to nursing homes; work and having the ability to contribute financially to self well-being; respite for family support networks; someone to lend a voice in venues where elderly voices may not reach (ie. The meeting rooms of the Courthouse and City Hall and the rotunda of the State Capital).**
- If this program reduction affects another county department, please provide which department(s) and how they are affected.  
**None**

Rank	Program Area	Program Change	10% Levy Change
	Area Agency/Resource Center	Purchase Contracts/Maj. Maintenance	(\$202,310)

1. Please list below program changes that would generate savings of up to 5%.  
**Program and service levels provided by community agencies will be further decreased by an additional 2.5% (or a 5% total reduction) as proposed in the initial (non-Nutrition funded) 5% tax levy reduction.**
  
2. What modifications are necessary to the program identified above to achieve the reduction?  
**Modify request for proposals to reflect funding reductions in affected program and service levels.**
  
3. What is the expenditure and revenue impact of the change?  
**Expenditures decrease an additional \$101,155, reflecting a total reduction of \$202,310**  
**Revenue impact \$0**
  
4. What position actions occur as a result of this change? What is the fiscal effect of those positions? What are the fringe benefit savings?  
**None**
  
5. What services are affected by this program change?  
**Various community program and service level reductions affected include multicultural outreach, advocacy, benefit specialist, counseling, senior employment, respite, senior center programming and transportation.**
  
6. What constituents are affected and how are they affected?  
**The same constituency as in the 5% tax levy reduction will be affected in a 10% reduction. The segment of the population affected includes Milwaukee County residents 60 years old and older needing: outlets from isolation through socialization; transportation to grocery shopping and visits to nursing homes; work and having the ability to contribute financially to self well-being; respite for family support networks; someone to lend a voice in venues where elderly voices may not reach (ie. The meeting rooms of the Courthouse and City Hall and the rotunda of the State Capital).**
  
7. If this program reduction affects another county department, please provide which department(s) and how they are affected.  
**None**

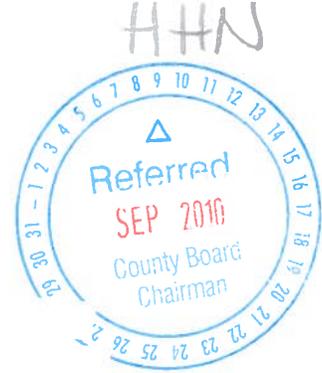
**CORRECT REPORT ATTACHED**

File No. 10-340

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(ITEM NO. 2) A Resolution to **RECEIVE AND PLACE ON FILE** (vote 6-0) a report from the Interim Director, Department of Health and Human Services, dated September 8, 2010, providing an update on the Disability Resource Center implementation and Family Care expansion.

**MILWAUKEE COUNTY  
Inter-Office Memorandum**



**DATE:** September 8, 2010

**TO:** Supervisor Lee Holloway, Chairman, County Board of Supervisors

**FROM:** Geri L. Lyday, Interim Director, Department of Health and Human Services

**SUBJECT: REPORT FROM THE INTERIM DIRECTOR, DEPARTMENT OF HEALTH AND HUMAN SERVICES PROVIDING AN UPDATE ON THE DISABILITY RESOURCE CENTER IMPLEMENTATION AND FAMILY CARE EXPANSION**

**Introduction**

This report provides an update on the progress that has been made in implementing the Disability Resource Center and the expansion of Family Care and all other publicly funded long-term care services for adults with disabilities, age 18 through 59.

The Disability Resource Center (DRC) was certified to operate by the State of Wisconsin Department of Health Services (DHS) effective August 1, 2009. During the first year (Phase I) the DRC was to provide options and enrollment counseling for individuals age 18 through 59, who were receiving Medicaid Waiver funded services through the Disabilities Services Division (DSD), and to enroll 23 individuals per month from the DSD waitlist into one of the publicly funded long-term care options. This will be accomplished by October 2010.

As of July 29, 2010, 1,905 individuals receiving Medicaid waiver funded services have been assessed and counseled by the DRC and transitioned into publicly funded long-term care options. These individuals are now receiving services from one of the entities administering these programs and are no longer receiving services from the DSD with Medicaid Waiver funding.

In addition, as of July 29, 2010, 215 individuals from the waitlist have been counseled and enrolled in one of the publicly funded long-term care options and are now, after many years of waiting, receiving needed services.

Beginning November 2010, the DRC will begin Phase II of its implementation and provide assessments, options counseling and enrollment processing for 3,096 individuals on the waitlist over the next two years. Based on the number of people on the waitlist as of August 1, 2010, the monthly waitlist enrollment is capped at 129 per month for two years. As of November 2012, the State's current plan is that the Disability Resource Center would be at "entitlement" and there would be no waitlist. Any individual seeking publicly funded long-term care services, who is functionally and financially eligible, would be able to receive services without waiting.

## **Background**

The new DRC began operation August 2009. The role of the DRC is to provide a single point of contact for information and assistance for individuals with physical or developmental disabilities, ages 18 through 59, who are seeking services. It is also the “front door” for individuals who are eligible to receive publicly funded long-term care services. The DRC provides an array of services including: information and assistance (a call center); disability benefits specialist services (advocacy to help people access benefits); and options and enrollment counseling, including eligibility determination, for publicly funded long-term care services.

The services available to eligible individuals in publicly funded long-term care are provided by Managed Care Organizations or are self-directed through the IRIS program. As part of the options counseling process, the DRC helps eligible individuals choose a long-term care service provider from several options available in Milwaukee County including:

- Family Care provided either by Milwaukee County Care Management Organization or Community Care, Inc.
- Partnership provided either by Community Care, Inc or iCare.
- PACE ( Program for All-Inclusive Care available to people age 55 and older)
- IRIS (Include, respect, I Self-Direct)
- Or remaining on Medicaid card services.

## **DRC Implementation Highlights**

To prepare for DRC implementation and throughout the first transition year, progress was made on key initiatives. These activities included:

- Governance
  - A new ADRC Governing Board (for both the Aging Resource Center and the Disability Resource Center) was created by Milwaukee County Board Resolution in September 2009. ADRC Governing Board members have been recommended by the County Executive and confirmed by the County Board. It is anticipated that the Governing Board will have its first orientation session in September 2010.
  - Membership of the DRC Oversight Committee is being finalized and it is anticipated that meetings will begin in fall 2010.
- Staffing
  - Initial organizational staffing changes were planned and implemented for Phase I, the first year of DRC operation. DSD is working to restructure staffing for Phase II of DRC implementation.
  - 32 staff training sessions were held on new roles and functions, processes and program options and other DRC functions. Additional training is planned for Phase II.
- Options and Enrollment Counseling
  - Detailed processes and related forms and handouts were developed for staff to guide them through the entire process from meeting with the individual, reviewing his or her needs, providing information about publicly funded long-

term care programs available, confirming or determining functional and financial eligibility and enrollment confirmation.

- Revised processes are being developed for Phase II, which focuses on individuals on the waitlist.
- Program policies required for compliance with the State ADRC contract have been developed and submitted to the state and others are in the final review stages.
- A school transition specialist was hired to develop protocols, policies and procedures for transitioning youth from public school systems to adult publicly funded long-term care. Grant funding was awarded to DSD and UWM to help support this effort.
- Information and Assistance
  - An Information and Assistance unit has been created that is supported by a new phone system to better serve callers and track calls.
  - The DRC has submitted a request for the license for the state-required software to develop a disability resources database of available services in the community and links to other resources in the community.
- Disability Benefits Services
  - An RFP was developed for disability benefit services, required by the state ADRC contract, and a contract was awarded to Independence First with legal support to be provided by Disability Rights Wisconsin. Services began in May 2010.
- Quality Assurance
  - DSD met with representatives of advocate organizations to get feedback on DRC implementation progress. DHHS and DSD continue to solicit input and improve services based on comments received.
  - A DRC Quality Assurance Plan was developed and is being implemented to assure that the DRC provides quality and unbiased options counseling.
- Outreach and Community Education
  - Outreach and community education regarding the Disability Resource Center and the transition from waiver services to the new publicly funded long-term care programming was provided in 2009 and 2010 by Disability Rights Wisconsin and several other advocacy agencies.
  - Forums were held with providers in 2009 explaining the program changes.

During the next two transition years (Phase II) when individuals on the waitlist are served, the DRC will continue to address remaining implementation tasks.

### **DRC Enrollment Volumes**

The priority of the first year of DRC operation, Phase I, has been facilitating the transition of all existing Medicaid Waiver adults into one of the publicly funded long-term care options. DSD had been serving approximately 2,300 individuals through the Waiver programs often referred to as CIP, COP and COP Waiver.

The DRC provided options counseling for approximately 200 Waiver participants per month and, as of July 28, 2010, 2,182 individuals have been transitioned. The transition of all Waiver participants is expected to be complete by October 2010.

In addition, the DRC was able to enroll 23 individuals per month from the waitlist. This monthly enrollment target was established in 2009 Wisconsin Act 28. As of July 28, 2010, 264 individuals from the waitlist have been enrolled into publicly funded long-term care and are now finally receiving services. As people have come off the waitlist, more have called for services, and there are currently approximately 3,000 individuals with physical or developmental disabilities waiting for service. During the next two years of DRC operation, Phase II, the State has capped monthly enrollment from the waitlist at 129.

At the conclusion of the 24-month period, the waitlist should be completely eliminated and there will be an entitlement benefit for eligible individuals with disabilities in Milwaukee County.

One of the key roles of DRC staff is to provide unbiased options and enrollment counseling to individuals. DSD has emphasized this in multiple training sessions and process guidelines. Attachment I shows the enrollment choices made by individuals transitioned by the DRC. Most individuals selected Family Care (78% of total enrollees) and of those, 48% selected Family Care through Milwaukee County's Care Management Organization. Approximately 17% of total enrollees selected IRIS, the self-directed program.

The DRC also enrolled 144 "immediate enrollees" who are individuals referred from nursing homes, children's Medicaid Waiver programs and young adults referred from the Bureau of Milwaukee Child Welfare who live in residential settings. There were also 25 "emergency enrollees" who were referred typically from the Adult Protective Services program or were an emergent community referral.

### **Operational Challenges**

As the DRC begins its second phase of operation to enroll individuals from the waitlist from November 2010 to November 2012 it faces several challenges.

The DRC experienced difficulties related to the processing of financial eligibility for participants who were not already "open" on the Income Maintenance (IM) CARES Information System. When planning the DRC the State had informed DSD that few individuals would need to have local IM involvement because of the availability of a centralized enrollment process. However, more individuals have required local IM involvement and this has been challenging given some of the State's current issues with the take-over of Income Maintenance in Milwaukee County and changing staff roles. The DRC continues to meet regularly with local IM, and a key DRC staff position acts as liaison and trouble-shooter with IM staff.

Complying with the monthly State-set enrollment targets while dealing with varying timeframes for individuals to make choices, centralized enrollment, IM cut off dates and processing and IRIS referral and enrollment timelines, has been difficult. Staff support had to be dedicated to the critical function of tracking all enrollments and compliance with the monthly targets.

### Fiscal Issues

State funding for the Disability Resource Center is provided through the State-County ADRC Contract and includes State General Purpose Revenue (GPR) and Medicaid Administrative funding. The funding amount is based on the State's adopted cost model for all resource centers statewide. In this model, assumptions are made about personnel costs, amount of time consumed by certain functions and the percentage of the State's population residing in the County. The Medicaid Administrative funds must be "earned" through "100% time reporting" where DRC staff report time spent on allowable activities.

### Revenues

For 2010, the State had committed approximately \$3.1 million annually to support the DRC of which approximately \$2 million is GPR and the rest is an expected 35% in federal matching Medicaid Administrative revenue from "time reporting." These revenues are based on DHS's statewide cost model for resource centers.

During the first year of operation, the DRC has actually earned though "100% time reporting," 48% in federal matching funds and hopes to continue this better than anticipated match volume. This means additional revenue to support the DRC and help address the funding gap.

The 2010 Adopted County budget included \$600,000 in tax levy to support the DRC. The 2011 DHHS Requested budget includes \$350,000 in tax levy. The reduction in tax levy between the two years is due the increased in earned match from a 35% match to 48%.

### Inadequacy of State Cost Model for Milwaukee County

DHHS has argued that DHS's cost model, upon which funding is based, significantly under-funds Milwaukee County's DRC for several reasons:

- It is based on assumptions that do not reflect the actual salary and fringe costs of operating in Milwaukee County.
- The base funding assumptions understate the anticipated volume of persons who will utilize the DRC in Milwaukee County where poverty levels are high. Also, because of its transportation system and service infrastructure, individuals with disabilities gravitate to Milwaukee County.
- The time studies upon which the model was based were from other smaller counties which had fewer managed care options. Therefore, the model does not reflect the more time-consuming workload of the Milwaukee County DRC staff.

### DRC Costs

The original budget estimate, to successfully operate the DRC to comply with State contract requirements, included over \$6 million in operating costs. By comparison, the operating budget for the Aging Resource Center with 60 FTEs is \$7.7 million (2010 Milwaukee County Adopted Budget). The DRC has adjusted original staffing projections, phased in certain implementation

functions, and tried to develop processes to reduce costs since State support was far less than original DRC cost estimates.

The 2010 Milwaukee County Adopted budget includes \$4 million in expenditures to operate the DRC.

After a year of operating experience, however, additional challenges to the DRC workload have presented themselves including:

- **IRIS Recertifications:** Beginning in fall of 2010 the DRC will need to fulfill a role required of other resource centers to perform the recertification of functional screens for persons enrolled in the IRIS program. Over 440 adults with disabilities, age 18 through 59, in Milwaukee County have enrolled in IRIS or been referred as of July 2010. Such a high number of persons selecting IRIS was not anticipated by DSD or DHS, and thus, handling this volume of recertifications was not included in original workload projections. IRIS recertifications for people served by the Aging Resource Center are being handled through an agency which is being paid directly by the State. DHHS has asked the State for resources for the DRC to cover this additional workload and cost.
- **Disenrollments:** Because of numerous long-term care options available to individuals as well as outside influences, disenrollments have been much higher than anticipated. As shown in Attachment II, the DRC received 230 disenrollment referrals from November 2009 to June 2010. More staff time than originally projected is needed to make additional contacts with individuals who wish to disenroll and provide options counseling to help them select another publicly funded long-term care program.

### **Summary**

The new Disability Resource Center of Milwaukee County has successfully implemented the first phase of the expansion of publicly funded long-term care to adults with disabilities age 18 through 59. Over 2,182 individuals have been enrolled into publicly funded long-term care from existing Waiver programs and over 264 individuals from the waitlist have been enrolled and are now, finally, receiving services. Disability Benefit Specialist services are now also available and there is a high demand for this service which provides assistance to individuals seeking public benefits who may be experiencing difficulties obtaining them.

### **Recommendation**

This report is for informational purposes only. No action is recommended unless otherwise directed by the Board.

Respectfully submitted:

  
\_\_\_\_\_  
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Department of Health and Human Services

cc: County Executive Scott Walker  
Cynthia Archer, Director, DAS  
Allison Rozek, Analyst - DAS  
Jennifer Collins, Analyst – County Board  
Jodi Mapp, Committee Clerk, County Board Staff

**Attachment I**

**Enrollments by Type & Target Group**  
Through July 29, 2010

	MCFC	CCFC	CCP	CC Pace	iCare P	IRIS	TOTAL
DD	885	459	18	2	9	151	<b>1524</b>
PD	179	245	5	3	4	222	<b>658</b>
WL	119	49	4	4	45	43	<b>264</b>
IE	55	48	8	7	6	20	<b>144</b>
EE	10	8	1	0	2	4	<b>25</b>
<b>Total</b>	<b>1248</b>	<b>809</b>	<b>36</b>	<b>16</b>	<b>66</b>	<b>440</b>	<b>2615</b>

**Enrollments as Percentage of Total Enrollment**  
Through July 29, 2010

	MCFC	CCFC	CCP	CC Pace	iCare P	IRIS	TOTAL
DD	33.84%	17.55%	0.69%	0.08%	0.34%	5.77%	<b>58.28%</b>
PD	6.85%	9.37%	0.19%	0.11%	0.15%	8.49%	<b>25.16%</b>
WL	4.55%	1.87%	0.15%	0.15%	1.72%	1.64%	<b>10.10%</b>
IE	2.10%	1.84%	0.31%	0.27%	0.23%	0.76%	<b>5.51%</b>
EE	0.38%	0.31%	0.04%	0.00%	0.08%	0.15%	<b>0.96%</b>
<b>Total</b>	<b>47.72%</b>	<b>30.94%</b>	<b>1.38%</b>	<b>0.61%</b>	<b>2.52%</b>	<b>16.83%</b>	<b>100.00%</b>

**Abbreviations:**

MCFC = Milwaukee County Family Care

CCFC = Community Care, Inc. Family Care

CCP = Community Care, Inc. Partnership

CC Pace = Community Care, Inc. PACE

iCare P = Independent Care Health Plan (iCare) Partnership

IRIS = Include Respect, I Self-Direct (Self Directed Support Waiver)

DD = Developmentally Disabled

PD = Physically Disabled

WL = Waitlist

IE = Immediate Enrollee (This refers to Nursing Homes, Bureau of Milwaukee Child Welfare referrals)

EE = Emergency Enrollments (This typically refers to referrals from the Adult Protective Services program).

**Attachment II**

**Disenrollment Referrals  
Numbers of Referrals by Agency from Which Disenrollment Requested**

	9-Nov	9-Dec	10-Jan	10-Feb	10-Mar	10-Apr	10-May	10-Jun	10-Jul	Total
MCFC	10	20	16	14	31	17	13	15	11	147
CCFC	1	1	4	0	4	3	8	6	10	37
CC Part	1	5	1	1	2	1	2	2	3	18
iCare Part	0	0	2	0	3	1	2	1	1	10
IRIS		1	2	2	5	2	5	1	0	18
<b>Total</b>	12	27	25	17	45	24	30	25	25	230

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

3  
4 File No. 10-213(a)(a)  
5 (Journal, May 27, 2010)  
6

7 (ITEM NO. 3) An adopted Resolution by Supervisor West directing the Administrator of the  
8 Behavioral Health Division (BHD) to continue collaborative strategies with the District  
9 Attorney and the Sheriff to create, where possible, enhanced policies and procedures  
10 addressing the safety of patients within County BHD facilities, by recommending a report  
11 dated September 1, 2010, from the Community Advisory Board for Mental Health  
12 regarding their initial activities and recommendations and a report from the President of the  
13 Wisconsin Federation of Nurses and Health Professionals entitled "Milwaukee County  
14 Behavioral Health Division Staffing Survey Results June 2010," be **RECEIVED AND**  
15 **PLACED ON FILE** (vote 6-0) as approved by the Committee on Health and Human Needs  
16 at its meeting of September 22, 2010.

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## COUNTY OF MILWAUKEE

### Inter-Office Communication

**DATE:** September 1, 2010

**TO:** Supervisor Lee Holloway, Chairman, Milwaukee County Board of Supervisors

**FROM:** Community Advisory Board for Mental Health  
*Prepared by Co-Chairs: Paula Lucey, RN, and Barbara Beckert*

**SUBJECT:** REPORT FROM THE COMMUNITY ADVISORY BOARD ON THE INITIAL ACTIVITIES OF THE BOARD AND INITIAL RECOMMENDATIONS RELATED TO FILE NO. 10-213

#### Issue

The Milwaukee County Board created the Community Advisory Board with Resolution No. 10-213. The resolution includes a requirement for the committee to submit a report to the Milwaukee County Board of Supervisors quarterly.

#### Action Requested

It is requested that the Milwaukee County Board of Supervisors refer the Community Advisory Board's recommendations to both the Interim Behavioral Health Division (BHD) Administrator and the Committee on Finance and Audit for review during their 2011 budget deliberations. The Interim BHD Administrator shall return with a report outlining steps to implement the recommendations, including fiscal analysis in the October cycle. It is further requested that the County Board of Supervisors accept the report as meeting the requirements set forth in File No. 10-213.

#### Background

In January 2010, the state and federal government conducted an investigation of the Milwaukee County Mental Health Complex Acute Care Unit, resulting in "Immediate Jeopardy" status and possible loss of federal funding. The investigators cited a number of concerns including inappropriate sexual contact between some patients (some had reported that they were sexually assaulted); failure to notify guardians of these incidents; failure to adequately monitor patients with a history of sexual aggression; inadequate documentation and inadequate primary health care. The survey concerns were further investigated by Disability Rights Wisconsin (DRW), the protection and advocacy agency for people with disabilities in our state. DRW's May 14<sup>th</sup> "Report to the Community" recommended the establishment of a Community Advisory Board to provide input to policy makers on policies regarding patient safety and mental health treatment. Although BHD has implemented a Corrective Action Plan and follow-up surveyors found that deficiencies were being addressed, the Community Advisory Board was proposed as an additional resource to review concerns and make recommendations for positive change.

REPORT FROM THE COMMUNITY ADVISORY BOARD ON THE INITIAL ACTIVITIES  
OF THE BOARD AND INITIAL RECOMMENDATIONS RELATED TO FILE NO. 10-213

September 1, 2010

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In May 2010, the Milwaukee County Board of Supervisors adopted a resolution calling for the creation of the Community Advisory Board to be staffed by BHD and co-chaired by Disability Rights Wisconsin and a representative of the health care community. The mission of the Community Advisory Board related to the following issues: safety, linkages to community services and supports, the patient care culture, including Trauma Informed Care, and communication with patients and families/patient rights.

In order to achieve these missions, County Executive Walker appointed Paula Lucey, RN, currently the Executive Director of Willowglen Academy-Wisconsin and former Milwaukee County Director of Health and Human Services and Barbara Beckert, Milwaukee Office Director of Disability Rights Wisconsin to co-chair the effort.

The co-chairs submitted recommendations of potential Advisory Board and Work Group members and Chairman Lee Holloway appointed the Board and three Work Groups. The members of the Work Groups represent a diverse set of perspectives, talents, skills and experiences. As directed by the resolution, the committee includes consumers and families, advocates from the sexual assault community, law enforcement, a county board representative, peer specialists, clinicians and mental health advocates. The complete list of individuals is attached.

To initiate the work, members of all Work Groups were invited to a kick-off at which an orientation to the Behavioral Health Division was given. The group was also invited on July 20, 2010 for an educational seminar, which focused on creating a culture of care, including the benefits of Trauma Informed Care for both patients and staff. The intent was to ensure that members had a consistent approach to the work with the goal of a culture of recovery.

### **Work Groups**

#### *Safety Work Group*

The Safety Workgroup has met twice. At both meetings, staff from BHD presented information on policies and procedures related to safety. This included a summary of enhanced assessment/screening procedures, care planning, patient education, staff training and technological/environmental tools being utilized to increase safety for consumers and staff. Members were also provided a brief presentation by Melinda Hughes, from the Healing Center, on the "Empowerment Model" utilized at the Healing Center.

Members of the workgroup have received a great deal of information and consider themselves in an educational mode – there is a lot to learn and hear about. At the last meeting, members discussed the importance of obtaining the expertise of an independent consultant or entity to provide technical assistance to the workgroup and County on these issues. The workgroup is

REPORT FROM THE COMMUNITY ADVISORY BOARD ON THE INITIAL ACTIVITIES  
OF THE BOARD AND INITIAL RECOMMENDATIONS RELATED TO FILE NO. 10-213

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recommending that the County budget funds to contract with a nationally recognized individual or entity to provide this assistance.

Some of the areas of concern identified by workgroup members include:

- The challenges of determining how to best address safety/security practices along with maintaining a healing/recovery-oriented environment;
- Adequate staffing, both in terms of quantity and *types* of staff (for instance, availability of Peer Support Specialists);
- Leadership issues/organizational culture (resistance to change, defensiveness, training needs);
- Many members of the workgroup have not been on the inpatient unit yet there are privacy issues that make it challenging for them to be able to tour the facilities;
- Interest in discussing the pros and cons of same gender wards and “segregation” of known sexually (and otherwise) aggressive individuals.

The workgroup will be meeting in September and is planning to hear from Candice Owley about a survey that was done with staff from BHD and is also hoping to get a report from the Sheriff’s Department on their report regarding security recommendations for BHD. The co-chairs will be talking with BHD staff about possibilities for alternative methods to “view” the BHD inpatient unit (for example, through diagrams, pictures and/or video).

*Patient Centered Care Work Group:*

The work group has met twice. The first meeting was primarily a planning meeting, and also included a presentation on Recovery philosophy by co-chair Beth Burazin. A map was developed to reflect the work group’s focus which includes trauma informed care, best practices for patients with a cognitive disability and mental illness, integrated mental health and substance abuse services, culturally proficient care, options for patients and families to report concerns, and developing a recovery culture in acute care. The second meeting included an overview by BHD staff of their Trauma Informed Care initiative and a discussion of strategies for moving this forward. There was also discussion about the role of peer specialists.

At the second meeting, the work group approved two recommendations (see attached):

- An education and mentoring initiative for all BHD staff with a focus on Recovery, Person Centered Planning, and Trauma Informed Care (TIC).
- An initiative to introduce the use of peer support in the Adult Community Services branch. Peer support services are an evidence-based mental health model of care. Peer specialists are highly trained to work directly with consumers and their recovery team.

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The work group has identified several key needs and concerns:

- Milwaukee County Behavioral Health Division staff estimate that 90% of behavioral health clients have been exposed to a traumatic event and most had multiple experiences of trauma, such as sexual assault, sexual abuse, and physical abuse – this is in line with national research findings. Research further indicates that psychiatric hospitalization is often re-traumatizing. Given these needs, training on trauma informed care is a core component to patient centered care.
- Trauma informed care can be a key tool in transforming the culture and model of care in the Acute Care Unit; however, to succeed, there must be adequate staff support to coordinate the training, and to support and mentor staff and ensure accountability for implementing the training. There must be commitment to true culture change with defined outcomes and metrics.
- Staff have many demands on them, and it has been a very stressful time with heightened scrutiny and high levels of pressure. This has been a traumatic time for staff, and they may be experiencing Compassion Fatigue. TIC must also address a supportive environment for staff.
- Although peer specialists are on the staff of the Acute Care Unit, their role needs to be better defined and integrated as part of the treatment team. Peer specialists can be a resource in education and support for groups addressing recovery, wellness plans, and other related issues. Peer support provides a unique and necessary expertise, as it is the only discipline that provides tangible evidence of hope to the person receiving services.

At the next meeting, the group is hoping to have a psychologist from BHD speak about serving patients who have both a mental illness and a developmental disability, as well as hearing from work group members from Aurora Health Care who will share their experience with the Planetree patient centered care model. This work group will also be examining the options for patients and family members to reports concerns and grievances.

#### *Community Linkages Work Group*

The work group has met twice. The first meeting included an overview by BHD staff of SAIL and the services in the Adult Community Services system. The second meeting primarily focused on an overview of the discharge planning process by BHD staff. A number of issues and needs are emerging and are expected to be the focus of future recommendations. These include the following:

- Need to simplify the process for referrals to SAIL, increasing the ability to access services through SAIL and more timely decisions about approved services. This is especially important for inpatients – it should be a priority to connect them with services before they leave the hospital, including SAIL services.

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- Reduce the time it takes SAIL to process a referral, especially from inpatients so a Targeted Case Management or Community Support Program can connect with a person before they are released from the hospital.
- The work group needs to define the concerns regarding the discharge planning process. Some of these include:
  - Great need for follow up after discharge, making sure people get connected to services and receive help to troubleshoot any other problems.
  - The need for better connections with family members, guardians and individual support systems that includes participation in the discharge planning process is critical.
  - Improve access to computers on the units that would allow for e-mail and sending of information to the medical staff and for looking up resources (Health Information Technology).
  - Reduce the time it takes for Family Care to evaluate and connect someone to services. The current process is very long and complex and does not support a smooth transition from the hospital to the community.
  - Concern that there is not adequate staff support to provide the level of discharge planning needed.

The next meeting will include an overview of the CRC, and the role it can play in diverting patients from the hospital and connecting them to resources. The work group will also be reviewing resource guides that are already available to determine how they can be helpful to patients and families served by BHD.

### **Recommendations**

As the work continues, the work groups have some initial recommendations and expect to have additional recommendations as the work proceeds.

#### **Recommendation 1: Obtain an independent safety expert assessment.**

*From: Community Advisory Board Safety Work Group on August 25, 2010 (updated 8/30/10)*

It would be beneficial to retain an independent expert who has the knowledge and credentials to thoroughly review the effectiveness of current safety practices within the context of recovery focused patient care (including the recent changes made to address safety concerns) and can provide feedback and recommendations. We recommend exploring options to contract with a nationally recognized consultant to provide technical assistance and review efforts to date to address safety issues including the impact of new BHD safety protocols; current practices for assessment and treatment of patients with aggressive behaviors as well as patients with additional vulnerability; unit staffing, strategies for reduction and eventual elimination of seclusion and restraints; opportunities for staff and patients to confidentially report concerns, and related staff and patient education. Have new policies been effective in addressing safety concerns? Are additional changes needed? The recommendations in the *Security Survey* conducted by the Sheriff could also be included in this review.

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Note: The National Association of State Mental Health Directors is a respected provider of technical assistance services in these areas and could be a resource. <http://www.nasmhpd.org/>

**Recommendation 2: Train and mentor staff on Trauma Informed Care, Recovery and Person Centered Planned**

*From: Community Advisory Board Patient Centered Care Work Group on 8/16/10 (updated 8/30/10)*

To better meet the need of those served by BHD, we propose an education and mentoring initiative for all BHD staff with a focus on Recovery, Person Centered Planning, and Trauma Informed Care. Ancillary staff (food service, custodial, fiscal, etc.) would participate in a shorter “basic” version of the training and direct care staff (RNs, CNAs, OTs, psychologists, psychiatrists, administrators, clergy, etc.) would participate in a longer intensive version. Mentors would be designated to support staff in implementing the training in the work place. The co-chairs of the Patient Centered Care Work Group would be available to work with key BHD staff to develop the specifics of this proposal. It is essential that consumers (Office of Consumer Affairs) play a leadership role in the planning. Trainers may be available at no charge from the State. Trainers should be reflective of the diversity in our community. For this initiative to succeed, it will require the commitment of a TIC coordinator.

**Recommendation 3: Increase the use of Peer Specialists throughout the system.**

*From: Community Advisory Board Patient Centered Care Work Group on 8/16/10 (updated 8/30/10)*

As a first step in incorporating peer specialists in the Community Services Branch, it is recommended that BHD establish a work group including peer specialists, SAIL staff, and community providers to develop a plan for use of peer specialists including defining the role of peer specialists in TCM and CSP, desired outcomes, and training for providers and peer specialists. It may also be appropriate to review the current peer support program at BHD. As a next step, we propose that BHD consider including a requirement for the use of Peer Specialists in the 2011-2012 contracts for existing programs including Community Support Programs (CSP), Targeted Case Management (TCM), and Day Treatment. Recruiting efforts should prioritize cultural diversity and strive for a work force that reflects the diversity of the consumers served.

**Fiscal Impact**

At this point, the fiscal impact of these recommendations has not been determined. We request the Interim Director of the Behavioral Health Division work with appropriate staff to determine costs of implementation.

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Respectfully submitted:

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Barbara Beckert

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Paula Lucey

cc: County Executive Scott Walker  
Cindy Archer, Director - DAS  
Antionette Bailey-Thomas, Analyst - DAS  
Jennifer Collins, Analyst - County Board  
Jodi Mapp, Committee Clerk - County Board

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## Milwaukee County Behavioral Health Division Staffing Survey Results June 2010

By Candice Owley RN, President of the Wisconsin Federation of Nurses and Health Professionals

Over a two week period during the end of May and early June 2010 union members at Milwaukee County Behavioral Health division (BHD) completed an on-line survey regarding their working conditions and patient care. This report is a summary of the results of the survey responses.

The results paint a troubling picture of a workplace where the vast majority of the Nurses feel patient care areas are **short staffed, unsafe, without adequate policies to deal with dangerous patients and where they do not receive adequate orientation** when required to work off of their home unit. Their morale is very low and the morale of their co-workers even worse (77% poor). One of the only positive findings is that they feel supported by their immediate supervisors though they also feel these individuals often do not have the authority or receive the support they need to do their job.

The purpose in conducting this survey was to make sure the voice of the front line nurses and therapists was heard as the administrators, politicians, consumers and consultants make decisions about the future direction of BHD.

Ninety Eight bargaining unit members completed the survey which is approximately 65% of the members. Of that group 66% worked in acute care and 89% were Registered Nurses. Eighty Four percent were women with 31% employed at BHD 5 years or less, 43% more than 5 years but less than 20 years and 27% employed 20 or more years.

### Staffing and Quality Care

A very disturbing 80% stated their work area was short staffed (16% always short). 59% said they usually did not have enough RNs on their unit, 62% said they did not have enough clerical support but even more of a problem was lack of Certified Nursing Assistants (CNAs) with a reported shortage 80% of the time.

When asked to describe the impact of the short staffing the following is a short summary of pages of comments:

- Units become out of control
- Hard to get rounds done.
- Units are volatile and patients fear for their safety
- Staff is very stressed
- The new zone system cannot be adequately covered
- Groups are not done
- RNs not able to spend individual time with their patients
- Increase in violence
- Patients do not get meds in timely manner

- Lack of unit clerks means RNs have to do their job which leads to morale problems, safety issues and order transcription errors because the staff is stretched too thin.
- Less personnel to contain explosive situations
- Clinic cancelations
- Difficulty moving patients out of PCS and to their discharge location in a timely fashion

The following are a few quotes from the dozens in the survey:

- “Poor patient care, safety risks, very poor documentation, RN liability, med errors, the most inefficient and most ineffective run units I’ve ever seen at BHD”
- “Units get out of control when patients are unable to be attended to immediately because of short staffing. Behaviors escalate and safety for both staff and patients is at risk. The emotional burnout for staff is increased. Staff is frequently stressed, negativity increases and its very difficult to work like this...I don’t feel the management is realistic or they just don’t care about safety....I just don’t get it.”
- “When acuity increases the nurse has to triage between environmental safety, paperwork, notifications, numerous phone calls, emergency medications, emergency restraints, medical crisis, and if your ancillary staff is less than adequate a nurse can have a hell of a time multitasking and doing it safely. It has led to some short-cuts which are always risky and potential for poor outcomes.”
- “How big is this box? In my 2 ½ years we have had a unit clerk for maybe 6 months – nursing has to answer the phone and take care of all the other secretarial duties – but my main concern about lack of staff is that I don’t even have anyone to call for help if we’re all involved in a dangerous situation! Obviously, patient care suffers as we take as many shortcuts as we can in an effort to provide the best care. The main problem with short staffing is the chronic nature of it at BHD. Its one thing to “buck up” and work extra hard occasionally do to call-ins, etc but quite another to do this almost daily. The stress levels this type of effort cause adds to the unsafe environment. To further increase staff stress levels, Administration and the staffing office seem almost indifferent to our requests for more staff. There is an almost overwhelming consensus on 2 and 3<sup>rd</sup> shift that we are abandoned by Administration after hours and must do the best we can with no resources.”
- “Why do I stay? Because I’ve been a psych nurse since 1974. It’s what I know and what I love. In my heart of hearts I go on duty every day hoping I can make a difference, even if it’s just a small difference. Thank you for giving me the opportunity to express my opinion.”

## **Safety**

When asked to rate their unit for safety two-thirds of the respondents said it was unsafe with one out of four saying their unit was very unsafe. Only 5% rated their work area very safe.

The following comments are a summary of hundreds of comments regarding what could be done to make their units safer:

- Increase the staff especially CNAs
- Improve the availability of security staff
- Have CNAs that are regulars/assigned to specific units so they know the patients and the unit routine.
- Legal system needs to be more proactive in dealing with violent patients.
- There must be extra staff to cover the 1 on 1s.
- Staffing cannot be just by the numbers but must take acuity (how sick the patient is) into consideration.
- There must be enough staff to provide relief for meals
- Replace outdated equipment and old beds
- Establish an intensive care unit for the patients with the most difficult behavior
- Make sure every patient has an individual (single) room
- Reduce paper work and improve clerical coverage so that nurses can spend more time with patients
- There needs to be a built in buffer of extra staff to handle emergencies and 1 on 1s.
- There needs to be extra help during periods of high census and when a unit is very busy getting more admissions. Perhaps a roving RN that could assist with admissions.
- Acute care units need a minimum of 4 RNs
- Management needs to facilitate respect and cohesiveness among staff. Many times supervisors have been seen to ignore blatantly inappropriate staff behavior.
- Video cameras to see what is going on at the desk.
- Listen to the staff when they tell management they need more help
- More resources accessible during second and third shift
- More education of staff especially regarding mental illness and dealing with difficult behaviors
- Individual behavior plans in place prior to patients escalating out of control.
- More staff, less paperwork. Administration makes us do multiple checklists to document we are monitoring patients behavior and needs. Half the time, the nursing staff is so busy trying to get "real" nursing done; the checklists are done as the "last task." ...maybe if we were given less checklists and more staff we could honestly do work which truly reflects what's going on.

**When asked if there are adequate policies in place to care for dangerous or difficult patients 61% of the respondents said no. Some comments were:**

- The policies are reactive. We have to wait for dangerous person to strike out at someone before restricting their environment.
- Need same gender units
- Policies mean little if there is not enough staff
- Suggest a unit designated for violent and/or sexually inappropriate males such as the former 32B unit. Mixing known violent clients with vulnerable ones has proved to be a control problem.
- Some patient in PCS should never be exposed to any dangerous individuals but on a daily basis are often sitting feet away from these persons. We have no real ability to separate the persons

that really should not be around violent and aggressive patients so our unit remains unsafe. In OBS patients with depression or suicidal without violent pasts are forced to stay in an open unit with violent individuals.

- A refresher course about policies for dangerous patients in unsafe staffing situations would be a great way to help relieve staff anxiety.
- Policies are frequently not the issues – they are authored by staff members who do NOT work the floors. Management eliminated the Performance Improvement Team (PIT) which wrote and reevaluated policies.
- There is a general lack of debriefing/discussion between administration and staff when serious incidents do occur on the unit.
- Management needs to enforce policies with staff.
- I feel our administration itself isn't adequately informed about our policies and state policies.
- Very few staff that work here are aware of the different policies that we have in this facility

**When pulled to work in another work area have you received adequate orientation – 61% said no.**

- Not oriented to the special need of a particular unsafe patient which led to an injury
- Each unit has different practices and the staff doesn't have time to review each of them. Pulling occurs because a unit is short-staffed, so there isn't the time and freedom to review. A person does the best they can.
- No...they just pull me to that unit and expected me to do the job.
- Pulled to OBS with no orientation. Thank god I worked with a nurse from education who put me on a 1-1.
- I actually dread being pulled to another unit. We were oriented to units when we first started. I have no knowledge how the milieu of other units are and I would feel really uncomfortable not knowing how things ran.
- I was pulled on 3rd shift to an acute care unit and given no report, no staff met with me.....I brought this to attention of the current Director of Nursing, she recommended reading the report. This was not adequate as I knew nothing of present acuity or what other urgent needs were taking place. I followed the DON's advice and tried to read the report while having 23+ patients on the unit, many up and agitated seeking meds and me with no knowledge of the present population. At 3am I read one patient's report only to find that they were to have neuro checks every 2 hours. The first one was due at 11:30 pm, I knew nothing of it.....None of these concerns appeared to mean anything to administration because despite my complaints no one ever met with me. That is why we fear to float to other programs!!!

**71% believe they receive adequate in-service education to all them to do their job however there were still issues a few of which are listed below.**

- I believe the staff development does a good job with the resources they have. However, I hear multiple requests being shot down due to lack of available funds. I do not feel we support the

nursing staff adequately with up to date tools to have evidence based practice principles at their about what would be helpful

- We get enough but I would like to see more communication classes. I think this would help to build positive relationship between staff.
- Yes but it is always after an incident occurs that things are brought up and addressed. I would also like to see in-services programs on medical issues since many of the patients we are seeing have tons of medical issues.
- The question is too broad to answer adequately. If you are talking about yearly glucometer checks and such, yes. If you are asking about how to deal with difficult patients and ensure safety of all humans present no.

### **Front line managers receive high rating**

When asked to describe the level of support they feel they receive from administration it is clear the closer the level of administration the more support is reported. In terms of immediate supervisors the overwhelming majority (82%) indicated some degree of support. When moving up the ladder to the Program administrator a majority (54%) still felt support but when reaching to the level of BHD administrator the vast majority (80%) said they received no support. Similarly three quarters of the staff believe their immediate supervisor is effective in addressing workplace issues.

- Their hands (immediate supervisor) are tied. They have no clout with the doctors and administrators.
- Love my NPC; she is doing the best she can.
- Immediate supervisor is terrific however is looking for a different job. The problem is even if you tell him the problems he is powerless to change most issues because his management is non-existent.
- What can a supervisor do to get more security guards on the unit and more CNAs when we have 1 on 1 and there isn't any more help available? They can only do so much to keep the units safe.
- The supervisors are covering too many areas and have a diverse amount of responsibility that inhibits their ability to be as supportive as possible.

Not surprisingly **Morale** is a problem with only 45% rating their own morale positive and even more disturbing is the fact the nurses say **77% of their coworkers have low morale.**

**Eighty Five percent gave suggestions of how to reduce staff turnover.**

**In looking to the future and whether there will be enough staff it is important to note that almost half of the respondent said they would be resigning or retiring within the next 5 years.**

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4 (ITEM NO. 4) From the Interim Director, Department of Family Care, requesting  
5 authorization to enter into a Professional Services Contract with Superior Support  
6 Resources, Inc. (SSR) for a period of three (3) years to (1) provide MIDAS hosting, support,  
7 and maintenance services and (2) for hardware upgrades that are required for the  
8 installation, formatting, and maintenance of the servers to support the MIDAS program for  
9 the Milwaukee County Department of Family Care, by recommending adoption of the  
10 following:

11  
12 **A RESOLUTION**

13  
14 WHEREAS, the Milwaukee County Board of Supervisors authorized the creation of  
15 the Milwaukee County Department of Family Care on June 24, 2010, to continue operating  
16 the Care Management Organization (CMO) under the State Family Care Program  
17 previously authorized under the Milwaukee County Department on Aging (the  
18 Department) since 2000; and

19  
20 WHEREAS, the Department – CMO has worked to develop a proprietary data  
21 application system called MIDAS (Member Information, Documentation, and Authorization  
22 System) to assist the Department – CMO in managing the Family Care Program; and

23  
24 WHEREAS, MIDAS is a multi-featured database/web application system to maintain  
25 client records, enrollment data, eligibility information, care plans and case notes, Medicare  
26 and Medicaid information, assessments, service authorizations, member obligation  
27 receivables, provider network and support contact information, and other features critical  
28 to the effective administration of the Family Care Program; and

29  
30 WHEREAS, the MIDAS system is also designed to provide a large number of user  
31 and management reports and maintain flexibility within its internal security system to allow  
32 numerous combinations of rights and access levels to the system i.e., Milwaukee County  
33 Department of Family Care (MCDF) management, MCDFC and Care Management Unit  
34 (CMU) case managers, service providers, etc.; and

35  
36 WHEREAS, the Milwaukee County Department of Family Care is competing with  
37 multiple CMOs in Milwaukee County; and

38  
39 WHEREAS, the Family Care Program is expanding throughout Wisconsin; and

40  
41 WHEREAS, Superior Support Resources, Inc. (SSR) has been providing Hosting and  
42 Application Support Services to the CMO since January 2009; and

43

44 WHEREAS, SSR, a certified Disadvantaged Business Enterprise (DBE) vendor,  
45 provides technical and support services for Milwaukee County's own needs in utilizing the  
46 MIDAS system; and

47  
48 WHEREAS, the vendor has unique experience with MIDAS and qualifications to  
49 perform the services requested as evidenced by service provided to the CMO to setup,  
50 host, and support for the Department of Family Care contract with Southwest Family Care  
51 Association (SFCA); and

52  
53 WHEREAS, the vendor provides staff to the Department of Family Care with  
54 expertise and knowledge of MIDAS unavailable from any other vendor; and

55  
56 WHEREAS, the term of the agreement will be for three (3) years; and

57  
58 WHEREAS, a three-year agreement is the most cost effective and beneficial option  
59 for the County providing a consistent hosting environment, support, and maintenance  
60 necessary to assure a reliably high level (99%) of server and application availability to  
61 users; and

62  
63 WHEREAS, a 2011 Professional Services Contract with SSR to provide MIDAS  
64 Hosting and Support Services for Milwaukee County will be funded through rates and fees  
65 charged the Milwaukee County Department of Family Care in 2011; and

66  
67 WHEREAS, hardware and software upgrades are required to support the MIDAS  
68 program; and

69  
70 WHEREAS, the Department of Family Care is seeking a sole source contract under  
71 \$50,000 for the hardware installation; and

72  
73 WHEREAS, a 2010 Professional Services Contract with SSR for \$29,000 will be  
74 funded through rates and fees charged the Milwaukee County Department of Family Care  
75 in 2010; and

76  
77 WHEREAS, the Committee on Health and Human Needs, at their meeting of  
78 September 22, 2010, recommended approval of the Interim Director of the Department of  
79 Family Care's request (vote 6-0), now, therefore,

80  
81 BE IT RESOLVED, that the Interim Director, Department of Family Care, is hereby  
82 authorized to (1) enter into a Professional Services Contract with Superior Support  
83 Resources, Inc. (SSR) for a period of three (3) years to provide hosting, support, and  
84 maintenance services during the term of the agreement; (2) execute an agreement for  
85 County calendar year 2011 Budget, which includes \$1,000 one-time start-up cost and  
86 monthly payments of up to \$4,630 for 12 months with a total anticipated expense in 2011  
87 of \$56,560, with a requirement that vendor service fees to SSR shall not exceed \$60,000 in  
88 2011; (3) any costs over \$60,000 will require further Board action; (4) enter into a

89 Professional Services Contract with SSR for \$29,000 for hardware and software upgrades  
90 required to support the MIDAS program with; (5) deliverables to be completed within 60  
91 days of notice to the provider that the hardware etc. is available; 6) all services will be  
92 performed by qualified staff and under the direction of the Interim Director of the  
93 Department of Family Care or his/her designee; and (7) total anticipated expense in 2010 is  
94 \$29,000; and

95

96 BE IT FURTHER RESOLVED, that agreements will be contingent upon County Board  
97 authorization of the Department of Family Care continued participation as a Care  
98 Management Organization (CMO) under Family Care for the period January 1, through  
99 December 31, 2011.

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**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** September 7, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Milwaukee County Department of Family Care request for authorization to (1) execute a professional services contract with Superior Support Resources, Inc. (SSR) for a period of 3 years to provide MIDAS hosting, support and maintenance services with vendor service fees not to exceed \$60,000 in 2011 and (2) execute a professional services contract with SSR for \$29,000 for hardware and software upgrades required to support the MIDAS program.

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	
	Revenue	0	
	Net Cost	0	
<b>Capital Improvement Budget</b>	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.<sup>1</sup> 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 authorizes the Milwaukee County Executive, or his designee, to (1) execute a contract with Superior Support Resources, Inc. (SSR) for a period of 3 years to provide MIDAS hosting, support and maintenance services for the Milwaukee County Department of Family Care and (2) execute a contract with SSR for \$29,000 to perform hardware and software upgrades.

Total anticipated expense for county calendar year 2011 budget includes \$1000.00 one-time start-up cost and monthly payments of up to \$4630 for 12 months. Total anticipated expense in 2011 is \$56,560 with a requirement that vendor service fees to SSR shall not exceed \$60,000 in 2011 and any costs over \$60,000 will require further Board action.

The portion of the professional services contract with SSR for \$29,000 is needed for hardware and software upgrades required to support the MIDAS program. Deliverables are to be completed within 60 days of notice to the provider that the hardware etc. is available and all services will be performed by qualified staff under the direction of the Interim Executive Director of DFC or her designate. The total anticipated expense in 2010 is \$29,000

Funding is derived from payments by the state based on a primary comprehensive capitated rate and a secondary revenue source from members obligations to the program. The funds were approved in the Care Management Organizations 2010 Capital Budget.

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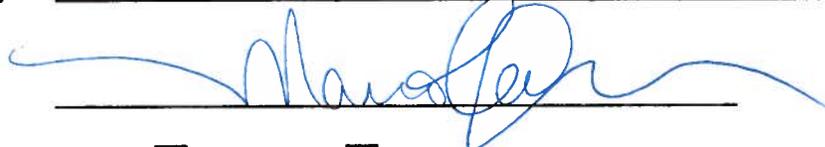
<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

The adoption of this resolution will not require the expenditure of any County Tax Levy not previously authorized in the 2010 Adopted Budget.

This resolution has no fiscal impact in 2010 or 2011 other than the allocation of staff time required to prepare the accompanying report and resolution.

Department/Prepared By Department of Family Care / Maria Ledger, Interim Executive Director

Authorized Signature



Did DAS-Fiscal Staff Review?  Yes  No

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(ITEM NO. 5) From the Interim Director, Department of Health and Human Services, requesting authorization to contract with Community Advocates on behalf of the Continuum of Care, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the Interim Director, Department of Health and Human Services, is requesting authorization for the Housing Division to enter into a Professional Service Contract with Community Advocates on behalf of the Continuum of Care; and

WHEREAS, such support is important to the efforts of the Continuum of Care in providing coordination of community-based homeless assistance and homeless prevention efforts in Milwaukee County; and

WHEREAS, funds for this contact were included in the 2010 Adopted Budget of the Division; and

WHEREAS, the Committee on Health and Human Needs, at their meeting of September 22, 2010, recommended approval of the Interim Director of the Department of Human Services' request (vote 6-0); now, therefore,

BE IT RESOLVED, that the Interim Director, Department of Health and Human Services, or his/her designee, is hereby authorized to enter into a Professional Service Contract for the period January 1 through December 31, 2010, with Community Advocates for \$50,000, as follows:

<u>Agency</u>	<u>Type of Service</u>	<u>Term</u>	<u>2010 Contract</u>
Community Advocates	Management & Consulting	1 yr	\$ 50,000

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** 09/08/2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** From the Interim Director of Health and Human Services, requesting authorization to contract with Community Advocates on behalf of the Continuum of Care

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	50,000	
	Revenue		
	Net Cost	50,000	
<b>Capital Improvement Budget</b>	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. <sup>1</sup> 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) An annual contract/contribution to support the activities and management of the Continuum of Care

B) The total 2010 contract/contribution amount is \$50,000. There would be no budgetary impact associated with execution of the recommended contract, as sufficient funds are included in Housing's 2010 adopted budget to cover this contract.

C) The Continuum of Care provides vital services to the Homeless assistance system in Milwaukee County and represents a tremendous partnership of funding entities, governmental entities, and service providers.

D. No assumptions/interpretations.

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

Department/Prepared By Tim Russell, Housing Administrator

Authorized Signature *Tim A. Russell*

Did DAS-Fiscal Staff Review?  Yes  No

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4 (ITEM NO. 6) From the Interim Director, Department of Health and Human Services,  
5 requesting authorization to enter into a 2011 Contract with the State of Wisconsin for  
6 operation of the Wisconsin Home Energy Assistance Program (WHEAP), by  
7 recommending adoption of the following:

8  
9 **A RESOLUTION**

10  
11 WHEREAS, per Section 16.27 and Section 46.215 of the Wisconsin Statutes, the  
12 Interim Director of the Department of Health and Human Services (DHHS) is requesting  
13 authorization to execute a State-County Contract for Federal Fiscal Year (FFY) 2011  
14 (October 1, 2010, through September 30, 2011) for the operation and funding of low-  
15 income energy assistance; and

16  
17 WHEREAS, the State's Energy Assistance Program is run in conjunction with  
18 counties and has the following components:

- 19  
20 • General eligibility for the program includes households at or less than 60% of State  
21 median income (\$47,245 annually for a family of four).  
22  
23 • Regular Energy Assistance Benefits provides a utility supplemental payment for  
24 current season heating (LIHEAP) and/or non-heating electric public benefits  
25 expenses. Households may receive only one regular heat and/or one regular electric  
26 (non-heating) benefit during each heating season (October 1 – May 15). This  
27 assistance is paid out of a centrally controlled account by the State and is not  
28 maintained by Milwaukee County.  
29  
30 • Crisis Assistance provides services to households experiencing actual energy  
31 emergencies or those at risk of an emergency. An Emergency Services component  
32 of this area provides benefits and services to households that are experiencing actual  
33 or imminent loss of home heating/electricity or in need of cooling assistance upon  
34 the declaration of a heat emergency. Emergency services also include furnace  
35 repair and replacement.  
36  
37 • Weatherization services include insulating attics, walls and floors, insulating or  
38 replacing water heaters and installing energy efficient lighting among other services.  
39 Basic eligibility requirements for weatherization are the same as for energy  
40 assistance (WHEAP).  
41  
42 • Outreach services include informing potentially eligible individuals about Energy  
43 Assistance, encouraging them to apply, and assisting them with the application  
44 process.

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- General Operations provides funds to the local agencies and their subcontractors to administer the WHEAP program.
- ; and

WHEREAS, the State Contract supports the staff and operating costs of the Energy Program as well as outside contractual services; and

WHEREAS, as of August 24, 2010, the State made approximately \$36.6 million in payments on behalf of 56,416 customers under Energy Assistance for FFY 2010, including nearly \$3.5 million under Crisis Energy Assistance for 12,203 customers in Milwaukee County; and

WHEREAS, the total revenue included in the proposed WHEAP contract is \$2,476,120, a decrease of \$1,176,445 from the FFY 2010 amended contract of \$3,652,565; and

WHEREAS, authorization to enter into this State-County Contract would decrease revenue \$523,880 below the 2011 Requested Budget; and

WHEREAS, DHHS has submitted a report to the County Board in the September committee cycle with its recommendations for the allocation of 2011 Energy Assistance revenue and the Purchase of Service Contract amounts reflect the reduced Energy revenue estimate; and

WHEREAS, the report also includes a recommendation to adjust the Purchase of Service Contract cycle from a calendar year to a FFY; and

WHEREAS; the Committee on Health and Human Needs, at its meeting of September 22, 2010, recommended approval of the Interim Director of the Department of Health and Human Services' request (vote 6-0); now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes the Interim Director of the Department of Health and Human Services, or his/her designee, to execute a Federal Fiscal Year (FFY) 2011 Contract for the period of October 1, 2010, to September 30, 2011, with the State Department of Administration (DOA) covering the operation of the Wisconsin Home Energy Assistance Program (WHEAP) in the amount of \$2,476,120, and any addenda thereto.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

DATE: 8/30/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Report from the Interim Director, DHHS, requesting authorization to enter into a 2011 contract with the State of Wisconsin for operation of the Wisconsin Home Energy Assistance Program

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	-182,129	-523,880
	Revenue	-182,129	-523,880
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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. <sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. Approval of this request will authorize the Interim Director, DHHS, to sign a 2011 contract with the State of Wisconsin to provide revenue to the County to administer the Wisconsin Home Energy Assistance Program (WHEAP).

B. Authorization to enter into this contract would decrease revenue \$523,880 below the 2011 Requested Budget of \$3,000,000. The total revenue included in the proposed WHEAP contract is \$2,476,120, a decrease of \$1,176,445 from the FFY 2010 amended contract of \$3,652,565. Because the State contract is on the federal fiscal year cycle, there is also a reduction of \$182,129 in expenditures and revenue for the last quarter of 2010. This reduction will be absorbed by a reduction to the purchase of service contracts.

C. Entering into the WHEAP State contract will have no tax levy impact, since a commensurate reduction will be made to the purchase of service contracts.

DHHS is submitting another report to the County Board in the September committee cycle with its recommendations for Energy Assistance Program purchase of service contracts. In this report, DHHS is recommending that the purchase of service contracts reflect the federal fiscal year rather than a calendar year.

D. This fiscal note assumes expenditures cannot exceed the amounts authorized for the purchase of service contracts. In addition, the fiscal note assumes that the funding for FFY2012 would remain the same as FFY2011. The FFY2012 contract would impact the last quarter (October 1 to December 31) of the county's calendar year 2011.

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

Department/Prepared By Clare O'Brien, DAS-Fiscal and Management Analyst

Authorized Signature

*Sei J. Seyday*

Did DAS-Fiscal Staff Review?

Yes

No

*Clare O'Brien*  
DAS-FISCAL  
10/15/13

(ITEM NO. 7) Reference file established by the County Board Chairman, relative to Purchase of Human Service Contracts for Management Services Division Programs, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, per Section 46.09 of the Milwaukee County Code of General Ordinances, the Interim Director of the Department of Health and Human Services (DHHS) has requested authorization to enter into 2010/2011 Purchase of Service Contracts with community vendors for the Management Services Division (MSD); and

WHEREAS, the recommended contracts will allow for an expanded delivery system of purchased services in the community; and

WHEREAS, each of the recommended contracts that pertains to Energy Assistance is funded with Wisconsin Home Energy Assistance Program (WHEAP) revenue, and DHHS' ability to execute these contracts will be contingent upon review and approval by the State Department of Administration; and

WHEREAS, the contract recommendations are within limits of relevant 2011 State/County Contracts and the 2011 Requested Budget; and

WHEREAS, the Committee on Health and Human Needs, at its meeting of September 22, 2010, recommended approval of the Interim Director of the Department of Health and Human Services' request (vote 6-0); now, therefore,

BE IT RESOLVED, that the Interim Director, Department of Health and Human Services (DHHS), or his/her designee, is hereby authorized to enter into contracts for the period of October 1, 2010, through September 30, 2011, with the following vendors in the following amounts:

Social Development Commission	\$1,656,624
Community Advocates	353,060
<b>TOTAL</b>	<b>\$2,009,684</b>

BE IT FURTHER RESOLVED, that the Interim Director, DHHS, or his/her designee, is hereby authorized to proportionately amend both the Social Development Commission's and Community Advocates' contracts upon receipt of any addenda received by Milwaukee County DHHS from the State Department of Administration increasing the State/County Contract for the operation of the Wisconsin Home Energy Assistance Program (WHEAP) during Federal Fiscal Year (FFY) 2011.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

DATE: 08/30/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Report from the Interim Director, DHHS, Requesting Authorization to Enter into FFY 2011 Purchase of Service Contracts for the Energy Assistance Program.

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure		
	Revenue		
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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.<sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A.) Approval of the request would permit the DHHS Management Services Division to enter into purchase of service contracts for the Energy Assistance program with the Social Development Commission and Community Advocates. The term of the contracts would run on the federal fiscal year cycle from October 1, 2010 to September 30, 2011.

B.) The total revenue included in the proposed WHEAP FFY2011 contract is \$2,476,120, a decrease of \$1,176,445 from the FFY2010 amended contract of \$3,652,565. Please note that the reduction does not include the crisis benefit payments provided to the utility companies or customers.

Due to the significant reduction from the State, the recommended FFY2011 contract for SDC is \$1,656,624 which reflects a reduction of \$1,159,174 over the 2010 amended contract. The recommended contract for Community Advocates is \$353,060 which reflects a reduction of \$25,025 over 2010.

The two contracts combined reflect a total cost of \$2,009,684. The remaining revenue from the State contract funds four County Energy workers, administration and a small contract with 211-IMPACT.

C.) There would be no tax levy impact by approving the request as the recommended contract amounts are within the State Wisconsin Home Energy Assistance Program (WHEAP) allocation.

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

D. This fiscal note assumes expenditures cannot exceed the amounts authorized for the purchase of service contracts.

Department/Prepared By Clare O'Brien, DAS

Authorized Signature *Gene A. Syday*

Did DAS-Fiscal Staff Review?  Yes  No

RECEIVED  
MAY 14 2013  
MAY 14 2013

1 Supervisor Willie Johnson, Jr., Chairperson  
2 By the Committee on Judiciary, Safety and General Services, reporting on:

3  
4

File No.10-333

5 (ITEM 1) A resolution to **RECEIVE AND PLACE ON FILE** a report from the Interim Director,  
6 Information Management Services Division (IMSD), titled "Informational Report – 800  
7 MHZ Rebanding Project", dated August 24, 2010. (Vote 7-0).

# Milwaukee County

## Interoffice Communication

**DATE:** August 24, 2010

**TO:** Supervisor Willie Johnson, Jr., Chairman, Judiciary, Safety and General Services Committee

**FROM:** Laurie Panella, Acting Chief Information Officer, IMSD  
*Prepared by: Hugh Morris, IT Director- Business Development*

**SUBJECT: INFORMATIONAL REPORT – 800 MHz REBANDING PROJECT**

### ISSUE SUMMARY

Milwaukee County Information Management Services Division (IMSD) is working diligently to complete the federally mandated 800 MHz radio rebanding project. The implementation phase of the project is on schedule to be completed in Q4, 2010 followed by a closeout/audit phase which will be completed early in 2011.

### BACKGROUND

Milwaukee County's 800 MHz radio voice system provides mission critical voice communications for 17 municipalities in Milwaukee County, the Milwaukee County Sheriff's Office, Public Works and several other agencies throughout the community. Effective coordination of the reprogramming and replacing of agency radios is a critical aspect of the voice system reconfiguration. In addition, the infrastructure at the fixed-end of the radio system, i.e. the equipment at each of the nine tower sites throughout the county, must be re-tuned to function properly with the new frequencies.

In 2005, the FCC ruled that Public Safety 800 MHz systems in the United States be modified to eliminate cell phone interference. As part of a legal settlement, Sprint Nextel is required to pay all costs related to the project.

In 2008, Milwaukee County IMSD negotiated 2 separate contracts with Sprint/Nextel to meet the mandate. The first covered the MCTS Data System – which required complete replacement of all hardware and software for maintaining the vehicle communications systems. The second contract covered the replacement/reprogramming of all the voice radios on the system – including all equipment in the 17 municipalities on our radio network.

In 2010 an amendment was negotiated with Sprint/Nextel to address items which discovered as a result of the rebanding work in the County over the last year.

To date, all consultant fees for services provided to Milwaukee County for the project are paid directly by Sprint Nextel. In addition, Milwaukee County has recovered revenue for internal staff costs related to the project. As a result of the amendment additional funds will be paid by Sprint/Nextel to offset internal staff costs.

## OVERALL PROJECT STATUS

The implementation of the voice system reconfiguration began in Q2, 2009 and will be complete by the end of 2010. The following is a list of objectives achieved to date and upcoming milestones for the project:

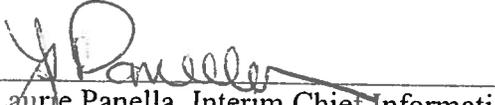
### **Objectives Achieved:**

1. Voice System Implementation Phase initiated and 90% of all agencies/departments are completed. There are still roughly 5 county departments/municipal agencies remaining. It is anticipated these will be completed by the end of September, 2010.
2. Amendment to original contract has been negotiated and signed. Work on the amendment will begin in August of 2010.

### **Upcoming Milestones:**

1. Completion of subscriber (mobile and portable) updates by October 2010.
2. Completion of critical work in contract amendment to the original contract before tower upgrades in October 2010.
3. Coverage map before radio tower site updates begin by October 2010.
4. Voice system infrastructure (radio tower sites) will be completed by Q4, 2010.
5. Data system reconfiguration scheduled to be completed by Q4, 2010.
6. Coverage map after radio tower site updates by November 2010.
7. The project audit/closeout phase will begin the last quarter of 2009 with expected completion in the first quarter of 2011.

It is recommended that this report be received and placed on file.

  
Laurie Panella, Interim Chief Information Officer  
Information Management Services Division

CC: County Executive Scott Walker  
Supervisor Lee Holloway, Chairman, Milwaukee County Board of Supervisors  
Sheriff David A. Clarke  
Cynthia Archer, Director, Department of Administrative Services  
Jack Takerian, Interim Director, Department of Transportation and Public Works  
Terry Cooley, Chief of Staff, County Board of Supervisors  
Rick Ceschin, County Board Research Analyst  
Linda Durham, Committee Clerk, Judiciary, Safety and General Services Committee

1 By the Committee on Judiciary, Safety and General Services, reporting on:

2

3

File No.10-334

4 (ITEM 2) A resolution to **REJECT AS NON-RESPONSIVE**, a report from the Office of the Sheriff,  
5 titled "Judiciary Committee's Questions Regarding Immigration Customs Enforcement (ICE)", dated  
6 September 1, 2010. (Vote 4-3).



# MILWAUKEE COUNTY SHERIFF'S OFFICE

DATE: September 1, 2010

## REPORT

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**TO:** Supervisor Willie Johnson Jr., Judiciary Chairman  
Milwaukee County Board of Supervisors

**Cc:** Supervisor Lynne DeBruin, Vice Chair  
Gerry Broderick, Supervisor  
Paul Cesarz, Supervisor  
Patricia Jursik, Supervisor  
Christopher Larson, Supervisor  
Joe Sanfelippo, Supervisor

**RE:** Judiciary Committee's Questions Regarding Immigration Customs Enforcement (ICE)

**1. How many individuals are being deported from Milwaukee County?**

The requested data does not fall under the purview of the Sheriff's Office. Federal immigration law determines whether a person is an alien, and how immigration issues are handled within the United States. Congress has complete authority over immigration. States have limited legislative authority regarding immigration, and 28 U.S.C. 1251 details the full extent of state jurisdiction. The U.S. government alone can initiate deportation proceedings against aliens. As such, the requested information resides within ICE. Per ICE Public Information Officer Gail Montenegro, they do not document or track this information by county or state. The statistical information maintained by ICE is documented by region, and "our" region includes Illinois, Indiana, Kansas, Kentucky, Missouri and Wisconsin.

**2. Is there a written policy from the Office of the Sheriff regarding ICE holds?**

Yes. The policy regarding holds from any lawful agency applies. ICE holds are treated the same as any other agency that requests a hold be placed on an inmate. The agency sends correspondence to the Sheriff's Office documenting the requested hold, which is verified and placed on the inmate. The agency with the hold then has 48 hours (excluding weekends / holidays) to pick up the inmate(s). After being picked up by ICE, the inmate is taken to their office for an interview. Upon completion of the interview, the matter may or may not be referred to the Immigration Court, located in Chicago.

3. **What is the funding related to incarcerating Illegal Aliens based upon? (In 2009, the amount was about \$135,000; in 2008, it was about \$60,000).**

The State Criminal Alien Assistance Program (SCAAP) has multiple variables that determine the funding for individual agencies each year, which is not solely based on the actual number of inmates determined to be illegal aliens. The detailed information can be obtained on-line at:

<http://www.ojp.usdoj.gov/BJA/grant/scaap.html>

4. **What is the number of illegal immigrants being processed through the jail on a yearly basis and how many are turned over to ICE?**

ICE determines a person's status as being illegal, not the Sheriff's Office. Per ICE Public Information Officer Gail Montenegro, they do not track the number of aliens turned over to ICE from our facility.

5. **Has there been a change in the system relative to how the Office of the Sheriff handles illegal immigrants?**

No. In early 2009, at the request of ICE, they began receiving a daily list of the prior day's bookings of inmates that self-identify as foreign-born. It should be noted that MPD, ATF, and several agencies receive similar lists of inmate bookings, which are available under open records statutes<sup>i</sup>.

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**<sup>i</sup> Applicable State Statutes:**

**59.27 Sheriff; duties.** The sheriff of a county shall do all of the following:

- (1) Take the charge and custody of the jail maintained by the county and the persons in the jail, and keep the persons in the jail personally or by a deputy or jailer.
- (2) Keep a true and exact register of all prisoners committed to any jail under the sheriff's charge, in a book for that purpose, which shall contain the names of all persons who are committed to any such jail, their residence, the time when committed and cause of commitment, and the authority by which they were committed; and if for a criminal offense, a description of the person; and when any prisoner is liberated, state the time when and the authority by which the prisoner was liberated; and if any person escapes, state the particulars of the time and manner of such escape.

**302.17 (1) Register of inmates (State)** When any inmate is received into any state penal institution the department shall register the date of admission, the name, age, nativity and nationality and such other facts as may be obtained as to parentage, education and previous history and environments of such inmate.

**19.35(1) Records: Right to inspection.**

**19.35(1)(a)** Except as otherwise provided by law, any requester has a right to inspect any record. Substantive common law principles construing the right to inspect, copy or receive copies of records shall remain in effect.

**19.35(1)(b)** Except as otherwise provided by law, any requester has a right to inspect a record and to make or receive a copy of a record. If a requester appears personally to request a copy of a record that permits photocopying, the authority having custody of the record may, at its option, permit the requester to photocopy the record or provide the requester with a copy substantially as readable as the original.

  
Richard R. Schmidt, Inspector

1 Supervisor Willie Johnson, Jr., Chairperson  
2 From the Committee on Judiciary, Safety and General Services, reporting on:

3  
4  
5

File No.10-313  
(Journal, September 30, 2010)

6 (ITEM 3) From County Executive, appointing Jack Takerian, Director of the Department of  
7 Transportation and Public Works, to serve on the Milwaukee County Local Emergency  
8 Planning Committee as the County Public Works representative, by recommending  
9 confirmation of the said appointment.

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(ITEM 4) From the Sheriff requesting to apply for and accept state and federal homeland security funding that will be made available to Milwaukee County for specific projects, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the Sheriff's Office requests the approval to apply for and accept homeland security grant funding from the State of Wisconsin Office of Justice Assistance to be used to provide for catastrophic event planning; and

WHEREAS, under Chapter 99 of the County Ordinances and Wisconsin State Statute 323, County Emergency Management has certain responsibilities in the preparation, mitigation, response, and recovery of emergency situations and the state annually offers opportunities for counties to apply for federal and state homeland security grant dollars to assist with meeting these responsibilities; and

WHEREAS, Homeland Security grant opportunities that are designated for Milwaukee County and available now from the State of Wisconsin Office of Justice Assistance, include:

1. State Homeland Security Office of Justice Assistance (OJA) Catastrophic Event Planning, \$85,000; and

WHEREAS, the approval to apply for and accept homeland security grant funding from the State of Wisconsin Office of Justice Assistance will assist with providing for enhancements to special populations evacuation and shelter planning; now, therefore,

BE IT RESOLVED, the Office of the Sheriff is hereby authorized to apply for and accept state and federal homeland security funding that will be made available to Milwaukee County for the specific project outlined above.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** 9/8/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Authorization to apply for and accept homeland security funding of \$85,000 for catastrophic event planning.

**FISCAL EFFECT:**

- |  |  |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input checked="" type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input checked="" type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><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
<b>Operating Budget</b>	Expenditure	85,000	
	Revenue	0	
	Net Cost	85,000	
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

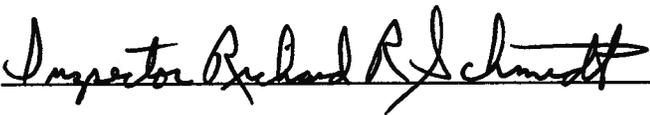
## DESCRIPTION OF FISCAL EFFECT

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.<sup>1</sup> 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 approval to apply for and accept homeland security grant funding from the State of Wisconsin Office of Justice Assistance that allow the Office of the Sheriff to assist with supporting Special Needs Population Sheltering capability and special populations evacuation and shelter planning. The grant award is for \$85,000 . The project is fully funded and there is no tax levy impact. An appropriation transfer will be submitted to establish revenue and expenditure authority.

Department/Prepared By Molly Pahl, Public Safety Fiscal Analyst

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

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

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

3  
4 File No. 10-75  
5 (Journal, February 4, 2010)  
6

7 (ITEM 1) A resolution by Supervisor Jursik, authorizing and directing the Director of the  
8 Department of Audits to perform a facilities and space needs audit of the Milwaukee  
9 County War Memorial Center, by recommending adoption of the following:

10  
11 **AN AMENDED RESOLUTION**

12  
13 WHEREAS, the War Memorial Center building is owned by Milwaukee County and  
14 managed by the War Memorial Center, Inc. (WMC), per Chapter 45 of the Wisconsin State  
15 Statutes; and

16  
17 WHEREAS, WMC leases space within the building to various entities including the  
18 Milwaukee Art Museum, Inc. (MAM) that occupies space for office and art exhibition  
19 purposes; and

20  
21 WHEREAS, the War Memorial building is over fifty years old and faces many  
22 maintenance challenges and changing space needs related to its mission of "serving the  
23 dead by honoring the living," which includes various veterans groups and MAM; and

24  
25 WHEREAS, an audit that will ascertain the War Memorial building's maintenance  
26 challenges and identify WMC's and MAM's space and parking needs is warranted as all  
27 groups are attempting to maximize revenues and reduce expenses given the current  
28 economy; and

29  
30 WHEREAS, the Committee on Parks, Energy and Environment, at its meeting on  
31 September 21, 2010, approved the resolution, as AMENDED (vote 6-0); and

32  
33 WHEREAS, the Committee on Finance and Audit, at its meeting on September 23,  
34 2010, concurred with the above recommendation (vote 5-2); now, therefore,

35  
36 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes  
37 and directs the Director of the Department of Audits to perform a facilities space and  
38 parking needs audit of the Milwaukee County War Memorial Center.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** January 20, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Authorizing and directing the Director of the Department of Audits to perform a facilities and space needs audit of the Milwaukee County War Memorial Center.

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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.<sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Adoption of this resolution will not require an expenditure of funds. It will require an expenditure of staff time.

Department/Prepared By Julie Esch, Legislative Research Analyst

Authorized Signature

*Julie Esch*

Did DAS-Fiscal Staff Review?  Yes  No

CHIEF OF STAFF  
LEGISLATIVE BOARD

5:25 PM 15 MAR 2015

RECEIVED

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

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2  
3 (ITEM 2) From the Director, Zoo, requesting authorization to execute an agreement with  
4 Ropes Courses, Inc. for installation and operation of a CTS Zip Line, Sky Trail ropes course  
5 and climbing wall on Zoo grounds for a five-year period (2011 through 2015) with  
6 construction starting in fall of 2010, by recommending adoption of the following:

7 **A RESOLUTION**

8 WHEREAS, Milwaukee County Ordinance 56.30 requires that all professional  
9 service agreements with a value of \$50,000 or greater be reviewed by the appropriate  
10 standing committee and approved by the County Board; and

11 WHEREAS, in searching for entrepreneurial opportunities to increase revenue, the  
12 Milwaukee County Zoo solicited proposals for providing a zip line and ropes course at the  
13 Zoo; and

14 WHEREAS, the chosen vendor, Ropes Courses, Inc., has been manufacturing,  
15 installing and servicing adventure ropes courses, zip lines and climbing structures since  
16 1989; and

17  
18 WHEREAS, Ropes Courses, Inc. has developed courses that meet the customer  
19 needs by addressing safety, high volumes of participants, scalability, easy training of  
20 operators, ability to theme and changeability and they currently provides their services at  
21 various entertainment venues including John Ball Zoo and Louisville Zoo; and

22 WHEREAS, Ropes Courses, Inc. has proposed to install and operate a two-tower zip  
23 line structure with two lines at the Zoo that will allow for 60 participants per hour and be  
24 built on steel poles designed as a double level continuous belay course in addition to a  
25 climbing wall; and

26  
27 WHEREAS, the adventure products will be installed in the front mall area by the  
28 train and carousel rides and will operated from Memorial Day through Labor Day; and

29  
30 WHEREAS, Ropes Courses, Inc. will pay the Zoo at least 15% of gross receipts for a  
31 period of five years (2011-2015) with construction starting in fall of 2010; and

32  
33 WHEREAS, at the end of this time period, the Zoo may renew the agreement for five  
34 more years, or end its relationship with Ropes Courses, Inc.; and

35  
36 WHEREAS, the 2011 Budget includes \$100,000 in revenues for the County's share  
37 of the revenues generated from the adventure products; and

38

39           WHEREAS, the Committee on Parks, Energy and Environment, at its September 21,  
40 2010 meeting, approved the Zoo Director's recommendation (vote 6-0); now, therefore,

41           BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
42 authorizes and directs the Zoo Director to execute an agreement with Ropes Courses, Inc.  
43 for installation and operation of a CTS Zip Line, Sky Trail ropes course and climbing wall  
44 on Zoo grounds for a five-year period (2011 through 2015) with construction starting in  
45 Fall of 2010.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** 9/8/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Agreement with Ropes Courses, Inc. for installation and operation of a CTS Zip Line, Sky Trail Ropes Course and a Climbing Wall at the Milwaukee County Zoo

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><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
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	100,000
	Net Cost	0	-100,000
<b>Capital Improvement Budget</b>	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. <sup>1</sup> 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 Milwaukee County Zoo requests approval to execute a professional services contract with Ropes Courses, Inc. for the installation and operation of a CTS Zip Line, Sky Trail ropes course and a climbing wall at the Milwaukee County Zoo for a five-year period (2011 through 2015) with construction beginning in Fall of 2010. At the end of this time period, the Zoo may renew the agreement for five more years or end its relationship with Ropes Courses, Inc.

B. Ropes Courses Inc. will pay at least fifteen (15%) of gross collected revenue after state sales taxes for providing adventure services at the zoo.

C. This contract is a revenue sharing contract. It is estimated that the adventure experiences will generate \$100,000 annually in revenues as the Zoo's share. This revenue is included in the 2011 Budget.

D. Revenues are based on estimates from the vendor.

Department/Prepared By Milwaukee County Zoo, Vera Westphal

Authorized Signature

Vera Westphal

Did DAS-Fiscal Staff Review?  Yes  No

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

(ITEM 3) From the Director of Transportation and Public Works, requesting authorization to accept the terms of an agreement set between Waste Management of Wisconsin, Inc., and the affected municipalities related to the proposed expansion of the Metro Landfill in Franklin, Wisconsin, by recommending adoption of the following:

**A SUBSTITUTE RESOLUTION**

WHEREAS, in 2003 Waste Management of Wisconsin, Inc. notified Milwaukee County and other affected municipalities of their intention to apply for a permit to expand the existing landfill, and by doing so sought to begin negotiations with the affected municipalities in accordance with Wisconsin State Statute. 289.33; and

WHEREAS, in April of 2003 the Milwaukee County Board of Supervisors passed a resolution (File No. 03-249) authorizing Milwaukee County's participation, as an affected community, in the negotiation process; and

WHEREAS, Milwaukee County has participated in the negotiation process since 2003, culminating in the unanimous passage of the Metro Landfill Expansion Agreement by the Negotiating Committee (the committee includes the City of Franklin, Town of Raymond, Town of Norway, City of Muskego, Waukesha County, Racine County and Milwaukee County); and

WHEREAS, in order to receive any financial compensation as a consequence of the agreement, Milwaukee County must formally adopt a resolution approving the agreement and provide a signed copy of the adopted resolution to the City of Franklin by October 8, 2010; and

WHEREAS, the terms of the agreement have been reviewed by Milwaukee County Corporation Counsel, who found no adverse terms within; and

WHEREAS, Milwaukee County's approval of the agreement will likely result in an estimated \$45,000 in revenue for 2010 that would be used to offset expenses incurred from emergency repairs at the Doyne Park landfill; and

WHEREAS, it is anticipated that the county will received additional revenue in future years as a result of approving the agreement that could be used to pay for costs related to solid waste management including the operation and maintenance of the county's closed landfill sites, recycling activities and repair of roadways affected by waste hauling; and

45 WHEREAS, the Committee on Parks, Energy and Environment, at its September 21,  
46 2010 meeting voted (5-0) to approve the Director of the Department of Transportation and  
47 Public Works Director's recommendation; and

48  
49 WHEREAS, the Committee on Finance and Audit, at its meeting on September 23,  
50 2010, concurred with the above recommendation (vote 7-0); now, therefore,

51  
52 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby approves  
53 the Metro Landfill Expansion Agreement as approved by the Negotiating Committee on  
54 August 4, 2010 and approved by the City of Franklin Common Council on August 17,  
55 2010; and

56  
57 BE IT FURTHER RESOLVED, that the Director of the Department of Transportation  
58 and Public Works I authorized and directed to send a copy of the resolution that approves  
59 the Metro Landfill Expansion Agreement by October 8, 2010 to the City of Franklin.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE: 8/30/10**

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT: Metro Landfill Expansion Agreement**

**FISCAL EFFECT:**

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|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact  | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required  | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures<br>(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.*

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure		
	Revenue	\$45,000	\$45,000
	Net Cost		
<b>Capital Improvement Budget</b>	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.<sup>1</sup> 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 DTPW Director is requesting the County Board approve a resolution to approve the terms of the Agreement between Waste Management of Wisconsin, Inc. and the Metro Landfill Negotiating Committee. Approval of this request would result in new source of annual revenues for Milwaukee County.

B. Article VI of the the Agreement specifies the dollar amount of payments for the year in which the agreement is executed and the following year. Payments in subsequent years are dependent on the amounts of waste landfilled. Article 6 establishes Milwaukee County's share of the direct payments made to affected municipalities by WMWI. Should a revenue payment to the County occur in 2010, the revenue would be used to offset tax levy funding allocated earlier in 2010 for emergency repairs at Doyne Landfill.

C. Should a revenue payment to the County occur in 2010, the revenue would be used to offset tax levy funding allocated earlier in 2010 for emergency repairs at Doyne Landfill. Fiscal benefits paid to Milwaukee County by WMWI in the out years will be used to pay for County costs related to solid waste management obligations, such as the operation and

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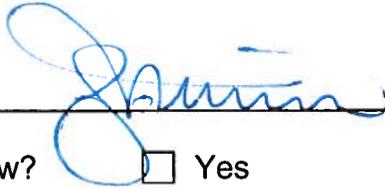
<sup>1</sup> If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

maintenance of the County's closed landfill sites, recycling activities, and repair of roadways affected by waste hauling.

D. None

Department/Prepared By DTPW-Environmental Services, Stevan Keith

Authorized Signature \_\_\_\_\_



Did DAS-Fiscal Staff Review?

Yes

No

Reviewed With:

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(ITEM 4) From the Director, Department of Parks, Recreation and Culture (DPRC), requesting authorization to negotiate and execute a long-term land use and endowment agreement with ALP/VFW for the use of a southeastern portion of Hales Corners Park to construct, endow, maintain and operate a Veteran’s Memorial, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the Parks Department has received a request from the American Legion Post and Veterans of Foreign Wars (ALP/VFW) to lease parkland in the southeast portion of Hales Corners Park so that ALP/VFW may construct, endow, maintain and operate a war memorial; and

WHEREAS, it is ALP/VFW’s role and responsibility to pay for and perform all construction, maintenance and site restoration for the memorial, as well as all required future maintenance and repairs at no cost to the County; and

WHEREAS, the projected cost of the memorial is estimated to be \$150,000; and

WHEREAS, as a condition of the land use and endowment agreement ALP/VFW will be subject to successfully meeting the requirements of Milwaukee County’s due diligence process and approval by the County Board prior to commencement of construction; and

WHEREAS, in order to ensure long term continued operation of the memorial, ALP/VFW will secure grants, contributions and pledges for the purpose of establishing an endowment to be used for future maintenance, repair, and improvement of the memorial and surrounding park environs; and

WHEREAS, the Parks Department has reviewed and approved ALP/VFW’s preliminary plans for ALP/VFW’s proposed improvements; and

WHEREAS, the Parks Director has recommended that the authority to prepare, review, approve, and execute all documents as required to enter into a long-term land use and endowment agreement with ALP/VFW be granted to the Parks Department, Corporation Counsel, Risk Management, and DAS; and

WHEREAS, the Committee on Parks, Energy and Environment, at its September 21, 2010 meeting, approved the said request (5-0); now, therefore,

45           BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
46 authorizes and directs the Parks Director to negotiate and execute a long-term land use and  
47 endowment agreement with the American Legion Post and Veterans of Foreign Wars for  
48 the use of a southeastern portion of Hales Corners Park to construct, endow, maintain and  
49 operate a Veteran's Memorial.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** 9/07/2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Veteran's Memorial in Hales Corners Park

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost	0	0

## DESCRIPTION OF FISCAL EFFECT

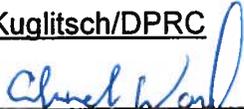
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.<sup>1</sup> 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.

Appropriate County Departments and staff will negotiate, prepare and execute the documents to provide the American Legion Post 299 and Veteran's of Foreign Wars Chapter 10394 use of a portion of land in the southeast corner of Hales Corners Park to construct, operate and maintain a Veteran's Memorial. Department of Administration staff will be required to assure the County Board that all fiscal and monetary requirements are satisfied prior to execution of the land use agreement.

Department/Prepared By Paul Kuglitsch/DPRC

Authorized Signature

  
\_\_\_\_\_

Did DAS-Fiscal Staff Review?  Yes  No

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

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(ITEM 5) From the Director, Department of Parks, Recreation and Culture (DPRC), requesting authorization to grant a permanent easement to the City of Wauwatosa to allow for the construction, operation and maintenance of storm sewer on park property within the Underwood Parkway, north of Bluemound Road , by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the Wisconsin Department of Transportation (DOT) plans on reconstructing Bluemound Road from Highway 100 to west of N. 124<sup>th</sup> Street; and

WHEREAS, as part of that project, a portion of the Oak Leaf Bicycle Trail will be relocated from the current road crossing at Underwood Parkway to a new alignment underneath the Bluemound Road bridge; and

WHEREAS, the new alignment of the Oak Leaf Bicycle Trail is in direct conflict with an existing City of Wauwatosa (City) storm sewer; and

WHEREAS, in order to facilitate the new alignment of the Oak Leaf Bicycle Trail, the existing storm sewer needs to be rerouted onto Milwaukee County park property north of Bluemound Road and within the Underwood Parkway; and

WHEREAS, a portion of the relocated storm sewer would need an easement from Milwaukee County for approximately 2,530 square feet; and

WHEREAS, it is the City's and DOT's role and responsibility to identify, propose, and pay for the construction of the storm sewer, as well as all required future maintenance and repairs; and

WHEREAS, the City has requested that Milwaukee County grant a permanent easement over the aforementioned easement area; and

WHEREAS, Parks staff has reviewed and approved the City's preliminary plans for their proposed improvements; and

WHEREAS, the City and its contractors will perform all construction, operation, maintenance and site restoration for these improvements at no cost to the County; and

WHEREAS, the Parks Director has recommended that the authority to prepare, review, approve, execute and record all documents as required to execute the requested easement be granted to the Parks Department Director, the Director of the Department of

45 Transportation and Public Works, Corporation Counsel, Risk Management, County Clerk,  
46 Register of Deeds, and the County Executive; and

47

48 WHEREAS, the Committee on Parks, Energy and Environment, at its September 21,  
49 2010 meeting, approved the said request (vote 5-0); now, therefore,

50

51 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
52 authorizes and Directs the Parks Director, the Department of Transportation and Public  
53 Works, Risk Management, Corporation Counsel, and Register of Deeds to prepare, review,  
54 approve, execute and record all documents, and perform all actions as required to grant,  
55 execute and implement the required permits and easements for the construction, operation  
56 and maintenance of a storm sewer on park property north of Bluemound Road and within  
57 the Underwood Parkway; and

58

59 BE IT FURTHER RESOLVED, that the County Executive and County Clerk are  
60 authorized to execute the easement and required documents.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** September 7, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Authorization to Grant to the City of Wauwatosa a Permanent Easement on Park Property North of Bluemound Road and Within the Underwood Parkway

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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.<sup>1</sup> 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.

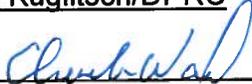
A. The City of Wauwatosa has requested a 2,530 square foot easement over Milwaukee County park property within the Underwood Parkway to construct, install, and maintain a storm sewer. Granting the easement will allow the City of Wauwatosa to relocate its existing storm sewer so that a portion of the Oak Leaf Bicycle Trail can be relocated to accommodate the Wisconsin Department of Transportation's reconstruction of Bluemound Road.

B. None.

C. No Impact.

D. None.

Department/Prepared By Paul Kuglitsch/DPRC

Authorized Signature \_\_\_\_\_  


Did DAS-Fiscal Staff Review?  Yes  No

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

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4 (ITEM 6) From the Director, Department of Parks, Recreation and Culture (DPRC),  
5 requesting authorization for the transfer of jurisdiction of several parcels of county-owned  
6 land from the Sheriff's Office to the Department of Parks , Recreation and Culture , by  
7 recommending adoption of the following:

8  
9 **A RESOLUTION**

10  
11 WHEREAS, the Sheriff's Office currently administers many diverse parcels of land  
12 surrounding the County Correctional Facility – South (CCF-S) used for agricultural or  
13 recreational purposes; and

14  
15 WHEREAS, the Sheriff's Office also administers many other diverse parcels of land  
16 east of CCF-S used in support of the Farm and Fish Hatchery, Hunger Task Force, and  
17 utilized by the Department of Parks, Recreation and Culture (DPRC) as its tree nursery or  
18 enrolled in the Conservation Reserve Program; and

19  
20 WHEREAS, the Department of Parks, Recreation and Culture and the Sheriff's Office  
21 have met on several occasions do discuss the jurisdictional land transfer and have agreed  
22 to a three hundred foot (300 ft.) buffer extending north and west from CCF-S's fence; and

23  
24 WHEREAS, the parcels so identified are mapped on the attached Exhibit A and  
25 described on the attached Exhibit B; and

26  
27 WHEREAS, authorization is required to transfer the jurisdiction of these parcels of  
28 County-owned land from the Sheriff's Office to DPRC; and

29  
30 WHEREAS, the Parks Director and the Sheriff have recommended that the  
31 jurisdiction of these County-owned parcels be transferred to DPRC; and

32  
33 WHEREAS, the Committee on Parks, Energy and Environment, at its September 21,  
34 2010 meeting, approved the said recommendation (vote 5-1); now, therefore,

35  
36 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby transfers  
37 the parcels identified on Exhibit A (and incorporated by reference herein) to the jurisdiction  
38 of the Department of Parks, Recreation, and Culture; and

39  
40 BE IT FURTHER RESOLVED, that Director of the Department of Parks, Recreation  
41 and Culture and Sheriffs Department are authorized to prepare, review, approve, execute  
42 and record any documents or perform actions required to facilitate this transfer of  
43 jurisdiction.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** September 7, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Jurisdictional Land Transfer From the Sheriff's Office to the Department of Parks, Recreation and Culture

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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.<sup>1</sup> 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. Adoption of the resolution would transfer from the Sheriff's Office to DPRC jurisdiction over certain parcels of land that is currently used by DPRC in support of the Farm and Fish Hatchery, as DPRC's tree nursery, or enrolled in the Conservation Reserve Program.

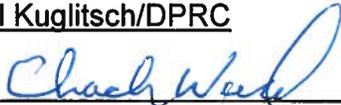
B. DPRC will absorb the administrative and operational costs associated with the transferred land.

C. No Impact.

D. None.

Department/Prepared By Paul Kuglitsch/DPRC

Authorized Signature

  
\_\_\_\_\_

Did DAS-Fiscal Staff Review?  Yes  No

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

1 By the Committee on Transportation, Public Works, and Transit, reporting on:

2

3

File No. 10-332

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(ITEM NO. 1) A Resolution to **RECEIVE AND PLACE ON FILE** (vote 7-0) an informational report from the Director of the Department of Transportation and Public Works, dated August 31, 2010, regarding the new elevated water tower located on the County Grounds.

ilm  
09/17/2010  
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## COUNTY OF MILWAUKEE

### INTER-OFFICE COMMUNICATION

DATE: August 31, 2010

TO: Supervisor Michael Mayo, Sr., Chairman, Transportation, Public Works & Transit Committee

FROM: Jack Takerian, Director of Transportation and Public Works

SUBJECT: **Information Report on New County Grounds Elevated Water Tower**

#### **Policy**

Funding was included in the 2009 and 2010 Adopted Capital Improvements Budget for the planning and construction of a new one million gallon elevated water tower at the County Grounds. This report is for information only.

#### **Background**

##### **Tower Need**

An analysis of the existing elevated storage indicated that shortly after 2016, the projected average day demand will exceed the 1.5-MG elevated storage and the County Grounds will require additional storage. The new tower, in addition to the two existing towers, will provide the Milwaukee County Grounds with sufficient storage to meet the projected 2016 average day demand and beyond.

##### **Tower Location**

Multiple locations were reviewed within the County Grounds for the proposed water tower. Several factors went into choosing the ideal location, including ground elevation, assumed future development footprints, leased land and proximity to existing water system infrastructure. The current site, east of STH 45 and south of Behavior Health complex, was chosen based on a combination of these factors. The County has coordinated closely with Forward 45 to ensure the location of the proposed water tower will not interfere with future DOT plans.

##### **Tower Color**

The tower will be painted with two colors, utilizing a solid blue color to mask future discoloring that can be expected based on the proximity to highway 45. The light blue coloring on the upper half of the tower will match the existing color of the east and west Milwaukee County Grounds water towers. The wording "Milwaukee County" will be painted on the tower on three sides for viewing from the north and south legs of STH 45 and the Medical Complex.

**Schedule**

The tower will be advertised for bids in September 2010, construction will begin in late fall and completion of the tower is scheduled for late summer 2011.

Several renderings of the new water tower from various views are attached.

**Conclusion**

This report is for information only. It requires no action by the Board.

Prepared by: Karl Stave, DTPW-A&E

Approved By:

  
\_\_\_\_\_  
Jack Takerian, Director  
Transportation & Public Works

  
\_\_\_\_\_  
Greg High, P.E., Director  
AE&ES Division, DTPW

Enclosures: Figures 1 – 5: Various Site Renderings of New Tower

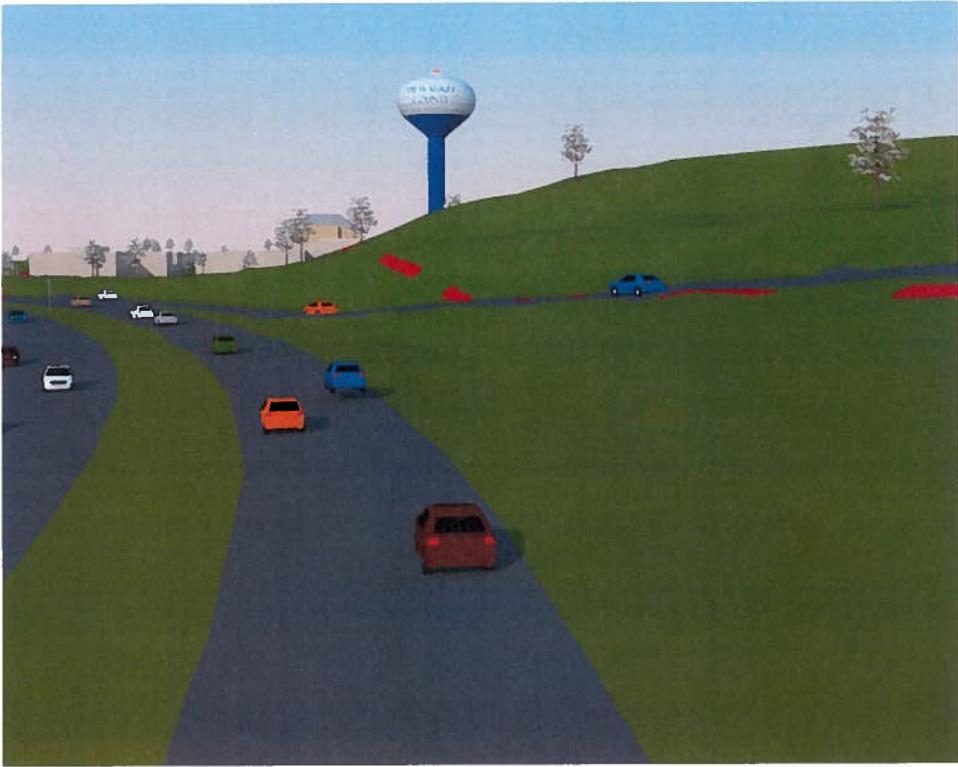
cc: Supervisor Schmitt  
County Executive Scott Walker



**Figure 1 - View from Northwest**



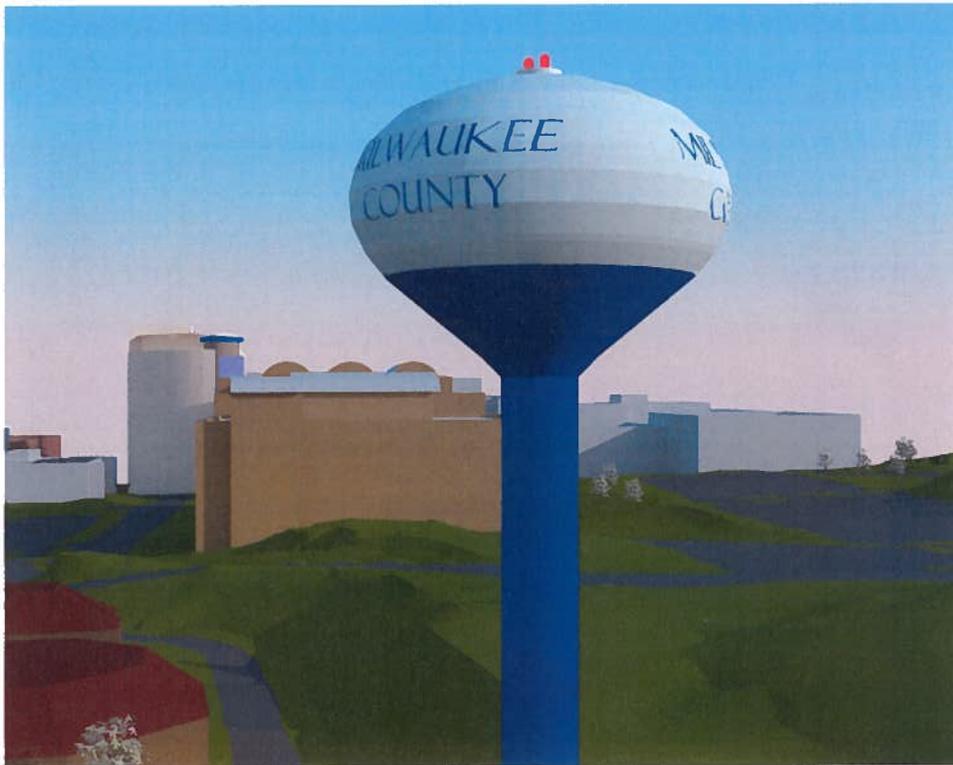
**Figure 2 - View from Southbound STH 45**



**Figure 3 - View from Northbound STH 45**



**Figure 4 - View from Medical Complex**



**Figure 5 - View of Tower**

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

3  
4 File No. 10-19(a)(a)  
5 (Journal, December 19, 2009)  
6

7 (ITEM NO. 2) Reference file established by the County Board Chairman, relative to  
8 Notices of Emergency Repairs/Purchases/Contracts, by recommending that the report dated  
9 August 28, 2010, from the Director of the Department of Transportation and Public Works  
10 regarding the proposal of internal and external inspections of all County Buildings be  
11 **RECEIVED AND PLACED ON FILE** (vote 5-0) as approved by the Committee on  
12 Transportation, Public Works and Transit at its meeting of September 15, 2010, and the  
13 Committee on Finance and Audit, at its meeting of September 23, 2010, concurred with  
14 the above recommendation that the report be RECEIVED AND PLACED ON FILE  
15 (vote 7-0).  
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**COUNTY OF MILWAUKEE  
INTEROFFICE COMMUNICATION**

Date: August 28, 2010

To: Supervisor Michael Mayo, Chairman, Committee on Transportation, Public Works  
Supervisor Elizabeth Coggs, Chairman, Committee on Finance and Audit

From: Jack H. Takerian, Director of Transportation and Public Works

Subject: **Internal And External Inspection Of All County Buildings – Informational Report**

The County Board Committee of the Whole met on 07/29/2010 to consider the June 24, 2010 incident at O'Donnell Park Parking Structure.

Thereafter, Supervisor Coggs made a motion to direct the Department of Transportation and Public Works (DTPW) staff to prepare a report on a proposal to inspect all County buildings, both internally and externally, and submit its findings to the Committees on Finance and Audit and Transportation, Public Works and Transit

**Building Assessment Program**

Milwaukee County owns and operates 126 major facilities consisting of 826 buildings, 521 of which are appropriate for conducting a complete building systems assessment.

**Step 1** Of the existing Facility Assessment Program compiles current architectural, mechanical, and electrical building data including the development of AutoCAD record drawings of each building.

**Step 2** Of the program assesses the condition of the architectural, mechanical, electrical and other significant building systems.

The assessment provides a five-year prioritized major repair and capital improvement plan and an annual maintenance program to ensure efficiency of facility operation. Vanderweil Facility Advisors (VFA) was originally selected through competitive quality based selection process. The firm has over 25 years of experience conducting facility assessments across the United States, Canada, Asia, and Europe. On each building assessment performed for Milwaukee County, VFA heads up the team of responsible department staff and local consultants with the required expertise that physically examines each building system. The VFA assessment software, a proprietary system, is customized to meet Milwaukee County's needs.

County Departments responsible for building operation and maintenance are trained and licensed in the use of this software once their buildings have been assessed. It is the responsibility of those departments to use and update the system data as regards their facilities. The Department of Administration requires VFA system data to be used as supporting information as a part of any capital budget request made for buildings that have been previously assessed. About two-thirds of the County buildings have been assessed under the Facility Assessment Program. Currently there is no County policy regarding when and how often the building systems should be assessed.

**Facade Inspection Program**

In 2001, the City of Milwaukee passed Ordinance 275-23-13 that requires owners of buildings that are 5 stories or greater to have a critical exam performed to determine if the facade of their building is in safe condition. Since 2006 Milwaukee County has been communicating with the City regarding our progress in meeting the intent of this ordinance. While the County Facility Assessment Program has always

included an architectural system assessment that would list deficiencies that include problems with the façade of a building or other items that would involve structural integrity, it has not included a category specifically for façade inspections as described in the City of Milwaukee Ordinance. Accordingly, the County has separately conducted to date 2 façade inspections including the Courthouse and City Campus.

#### **Façade Evaluations of 106 Buildings**

Beginning in July of 2010, the County has conducted an emergency façade evaluation of 106 additional County buildings meeting the City of Milwaukee Ordinance criteria for façade inspection as well as buildings meeting other criteria to include all buildings with masonry facades. This façade “evaluation”, while not as detailed as the façade “inspection”, is intended to discover and remove immediately any hazardous conditions on the building exteriors.

#### **Interior Evaluations**

Currently, interior evaluations are not required by the City of Milwaukee or any other local municipality. It is a normal responsibility of the individual department to perform this type of inspection as a part of their routine maintenance. It is possible for DTPW to perform these evaluations if this type of policy is desired.

#### **Outcomes**

As a follow up to these façade inspections and evaluations, DTPW staff is meeting with the Façade Evaluation Team made up of 11 local consulting firms with expertise in façade condition assessment. Using the team member’s knowledge of national and international best management building operation and maintenance practices, the outcome of this meeting will be the development of a draft of a detailed building systems assessment policy to be applied to all County buildings. The policy will address exterior as well as interior of the buildings, including structural integrity. This draft policy will be presented to the County Board.

#### **Fiscal Outcomes**

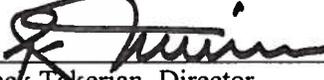
Recent exterior façade evaluation work for 106 county buildings is expected to cost \$300,000. Assuming such an evaluation would be appropriate for 14 additional county buildings based on size and year round use, additional exterior façade evaluations would cost \$40 to \$60,000.

VFA Facilities Assessment Program costs per square foot of building floor space average \$0.53 per square foot initially and \$0.30 per square foot thereafter since much of the documentation is already in place. Using this cost on 120 buildings, total cost for the Facilities Assessment Program to revisit each of these buildings every 5 years would be approximately \$150,000 per year. Problems with the interior structural system would most likely be discovered during the facilities assessment process. Further in depth investigation would be implemented as required.

Conducting a separate intrusive interior evaluation for each of these 120 buildings, including possible spot removal of floors, walls and ceilings to visually access key structural connections could cost between \$1.5 million and \$2.0 million.

Prepared by: Gregory G. High

Approved by:

  
\_\_\_\_\_  
Jack Takerian, Director  
Transportation & Public Works

  
\_\_\_\_\_  
Gregory G. High  
Director, AE&ES Div., DTPW

- cc: Scott Walker, County Executive  
Chairman Lee Holloway, County Board of Supervisors  
Tom Nardelli, Chief of Staff, County Executive's Office  
Terry Cooley, Chief of Staff, County Board  
Cynthia Archer, Director, DAS  
Steve Kreklow, Fiscal & Budget Administrator, Admin. & Fiscal Affairs Division/DAS  
Pam Bryant, Administration & Fiscal Affairs Division/DAS

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(ITEM NO. 3) An Amended Substitute Resolution by Supervisors Larson, Jursik, and Dimitrijevic, supporting Milwaukee’s Gateway Aerotropolis collaborative planning efforts, by recommending adoption of the following:

**AN AMENDED SUBSTITUTE RESOLUTION**

WHEREAS, the County of Milwaukee provides high-quality, responsive services that enhance self-sufficiency, personal safety, economic opportunity, and quality of life for all its people and further, the County specifically owns and operates General Mitchell International Airport (GMIA) to advance the County's mission as stated herein; and

WHEREAS, the responsibility of planning and promoting economic development and job creation can be further enhanced by recognizing that GMIA has been one of the County's greatest engines for job growth in the region and all efforts should be explored for further enhancing these economic benefits; and

WHEREAS, the Airport Area Economic Development Task Force (AAEDTF) held its first meeting in March of 2008, at the initiative of City of Milwaukee Alderman Terry L. Witkowski, City of Cudahy Mayor Tony Day, City of Franklin Mayor Tom Taylor, Village of Greendale Mayor John R. Hermes, City of Greenfield Mayor Michael J. Neitzke, City of Milwaukee Mayor Tom Barrett, City of Oak Creek Mayor Dick Bolender, City of Saint Francis Mayor Al Richards, and City of South Milwaukee Mayor Tom Zepecki; and

WHEREAS, the AAEDTF has continued to meet over the last 30 months; and

WHEREAS, the AAEDTF has enjoyed the participation of elected officials and staff from the communities of Cudahy, Franklin, Greendale, Greenfield, Milwaukee, Oak Creek, Saint Francis, and South Milwaukee; and

WHEREAS, the AAEDTF has also had participation from elected officials and staff representing Milwaukee County, GMIA, the Port of Milwaukee, the State of Wisconsin, and the Federal Government; and

WHEREAS, business owners, representatives, and staff from the Airport Gateway Business Association, the South Suburban Chamber of Commerce, the Milwaukee Metropolitan Association of Commerce, the Greater Milwaukee Committee, Spirit of Milwaukee, and Visit Milwaukee have also participated in the AAEDTF; and

WHEREAS, the University of Wisconsin-Milwaukee has provided staff support and assisted in visioning and initial strategic planning for the AAEDTF and worked towards

44 better collaboration of planning efforts and development standards for the areas  
45 surrounding GMIA; and

46

47 WHEREAS, the Southeastern Wisconsin Regional Planning Commission, GMIA, and  
48 each of the municipalities noted participated in a review of their land use and area plans  
49 for the Airport area in a session, in September of 2008, aimed at better coordination of  
50 individual plans; and

51

52 WHEREAS, at a meeting of the AAEDTF in July of 2009, a motion was made to  
53 examine the potential for creating a 501(c)(3), non-profit organization, or other appropriate  
54 entity to carry on the work of the AAEDTF on behalf of the participating governments and  
55 government entities; and

56

57 WHEREAS, that motion was unanimously supported by those in attendance; and

58

59 WHEREAS, a committee was formed to examine alternatives for creation of an entity  
60 that would allow for continuation of the AAEDTF's efforts; and

61

62 WHEREAS, that committee reported back to the full AAEDTF at a meeting in  
63 September of 2009; and

64

65 WHEREAS, at that meeting, a Vision Statement, Mission Statement, Goals, and  
66 Founding Principles were discussed, modified, and unanimously adopted by the full group;  
67 and

68

69 WHEREAS, that Mission Statement reads in part that, "The Gateway Aerotropolis is a  
70 public-private partnership focused around GMIA that fosters regional economic  
71 collaboration; and

72

73 WHEREAS, the AAEDTF recommended the creation of the Milwaukee Gateway  
74 Aerotropolis Corporation (the "Corporation") as a Wisconsin non-stock corporation that  
75 will be organized and operated exclusively for charitable and educational purposes within  
76 the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the  
77 "Code"), by lessening the burdens of its member governments with respect to rendering  
78 assistance in the planning and development of a new Milwaukee Aerotropolis (the  
79 "Milwaukee Aerotropolis"), and specifically by assisting in the coordination of the planning  
80 and development efforts with respect to the Milwaukee Aerotropolis among the  
81 Corporation's members and other regional planning organizations such as the Southeastern  
82 Wisconsin Regional Planning Commission; and

83

84 WHEREAS, Milwaukee County understands that the Corporation aspires to (1)  
85 conduct studies and evaluations on behalf of its members regarding the development of the  
86 Milwaukee Aerotropolis; (2) make the results of such studies and evaluations available to

From the Committee on Transportation, Public Works and Transit

87 its members and the general public; and (3) coordinate the planning and development  
88 efforts of its member governments with respect to the Milwaukee Aerotropolis; and  
89

90 WHEREAS, Milwaukee County understands that the Corporation will be structured  
91 as a membership corporation that will be controlled by its member governments and  
92 government instrumentalities but that it also will have representatives appointed by local  
93 business associations and shall include a member appointed by the Milwaukee County  
94 Executive and a member appointed by the Chairman of the Milwaukee County Board of  
95 Supervisors; and  
96

97 WHEREAS, the Airport Gateway Business Association Board of Directors represents  
98 that it has authorized and granted the appropriation of up to \$15,000 in start-up costs, and  
99 allocation of their Executive Director's and staff time to this effort, and  
100

101 WHEREAS, this resolution is not intended to change the ownership or legal  
102 oversight of GMIA or employment of the administration or workers at the airport by  
103 Milwaukee County nor affect the responsibility for debt service as encumbered for the  
104 benefit of the Airport by Milwaukee County nor is it intended to divert Airport revenue for  
105 expenditure for non-Airport purposes as defined by federal laws and regulations; and  
106

107 WHEREAS, the Committee on Transportation, Public Works, and Transit, at its  
108 meeting of September 15, 2010, recommended approval of the Substitute Resolution AS  
109 AMENDED (vote 4-2); now, therefore,  
110

111 BE IT RESOLVED, that the County of Milwaukee does hereby agree to become a  
112 member of this Corporation that is organized and operated exclusively for charitable and  
113 educational purposes within the meaning of Code Section 501(c)(3), and  
114

115 BE IT FURTHER RESOLVED, that Milwaukee County understands that the  
116 Corporation intends to cause the Corporation to execute and file an Application for  
117 Recognition of Exemption for the Corporation, including any and all related documents,  
118 with the Internal Revenue Service; and  
119

120 BE IT FURTHER RESOLVED, that Milwaukee County understands that the  
121 Corporation intends to (1) conduct studies and evaluations on behalf of the Corporation's  
122 members regarding the Milwaukee Gateway Aerotropolis; (2) make the results of such  
123 studies and evaluations available to its members and the general public; and (3) coordinate  
124 the planning and development efforts of its member governments with respect to the  
125 Milwaukee Aerotropolis; and  
126

127 BE IT FURTHER RESOLVED, that the appropriate County staff may coordinate with  
128 the Corporation as needed in order to permit the Corporation to carry out its purposes so  
129 long as such activity does not constitute revenue diversion as defined by federal laws and  
130 regulations; and

From the Committee on Transportation, Public Works and Transit

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BE IT FURTHER RESOLVED, that appropriate elected officials and staff may assist in identifying and, if allowed by law, securing funding to support the Milwaukee Gateway Aerotropolis and may work towards better coordination of planning and development efforts, which improve the Airport Gateway area so long as such activity does not constitute revenue diversion as defined by federal laws and regulations.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** June 8, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Supporting Milwaukee's Gateway Aerropolis collaborative planning efforts.

**FISCAL EFFECT:**

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

	Expenditure or Revenue Category	Current Year	Subsequent Year
<b>Operating Budget</b>	Expenditure	0	
	Revenue	0	
	Net Cost	0	
<b>Capital Improvement Budget</b>	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. <sup>1</sup> 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 establishes Milwaukee County as a member of Milwaukee's Gateway Aerotropolis for planning and development efforts with the Corporation's members and other regional planning organizations.

There are no budgetary impacts associated with the current year. The Airport Gateway Business Association Board of Directors has authorized and granted a start-up appropriation of \$15,000 for their staff time associated with this effort.

No assumptions were made.

Department/Prepared By County Board/Wedde

Authorized Signature



Did DAS-Fiscal Staff Review?  Yes  No

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

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(ITEM NO. 4) From the Director, Department of Transportation and Public Works, requesting authorization to enter into a new Master Lease Agreement with the airlines serving General Mitchell International Airport (GMIA) effective October 1, 2010, through December 31, 2015, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the County’s current contractual relationship with the Passenger Airlines serving General Mitchell International Airport (GMIA) was established in 1983 and 1984 with the signing of a long-term lease agreement (Agreement) with the five (5) major carriers serving GMIA at the time (Eastern, Ozark, Republic, United, and Northwest Orient); and

WHEREAS, throughout the ensuing years, additional carriers become signatory to the Agreement, which outlined the operating and financial relationship between Milwaukee County and the signatory airlines; and

WHEREAS, that Agreement required that all yearly operating maintenance costs of GMIA and Timmerman Airport were to be recovered through rates and charges assessed to the users of the two county airports; and

WHEREAS, it required that all capital costs associated with the construction of the new terminal completed in 1985 were to be recovered through rates and charges over the twenty-five (25) year period, which commenced on October 1, 1985; and

WHEREAS, the Agreement further required that all existing and future capital improvement projects were to be funded by airport generated revenues; and

WHEREAS, that twenty-five (25) year Agreement will expire on September 30, 2010; and

WHEREAS, Airport staff retained Unison Consulting, Inc. (Unison), the Airport’s financial advisor, to assist in negotiations with the Airlines to develop a new airline lease and has met numerous times with an airline negotiating team represented by Frontier (Midwest), Delta (Northwest), Southwest, AirTran, and US Airways Airlines; and

WHEREAS, the resulting new Airline – Airport Use and Lease Agreement continues the Airport System (General Mitchell International and Timmerman Airports) as self-supporting enterprises of Milwaukee County requiring no property tax levy support; and

WHEREAS, several notable “enhancements” over the previous lease have been negotiated; and

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WHEREAS, the Business Term Sheet is as follows:

**Term**

- Approximately five years effective October 1, 2010, to December 31, 2015.
- New rates and charges effective January 1, 2011.
- Option to extend for five additional years upon mutual agreement that includes a new CIP and Net Financing Requirement Cap.

**Business Deal**

1. Residual Rate methodology with a revenue carve out:
  - Terminal Cost Center will be credited with 90% of parking and concession revenues.
2. Create an Airport Development Fund Account ("ADFA"):
  - Annual deposits to the Surplus Fund equal 10% of concession and parking revenues, which are then transferred to the ADFA sub-account.
  - ADFA balance is capped at \$15 million.
  - Depreciation expense of projects funded by the ADFA will not affect airline rates and charges.
  - The entire over-recovery account balance as of December 31, 2010, will be returned to the signatory airlines by check based upon each airline's rents and fees paid during 2006 through 2010.
3. Approved Five-year Capital Improvement Plan ("CIP"):
  - Projects included in CIP are approved as a condition of the lease. The project costs to be included in the calculation of rates and charges are capped at the amount approved in the CIP (Net Airline Financing Requirement Cap) of \$59 million.
  - The Majority-in-interest (MII) process for additional capital projects will continue as described in the current lease (2 year deferral).
  - Airport can add or modify projects without MII approval provided that the Net Airline Financing Requirement Cap on the total CIP is not exceeded.
  - The Airport will submit a \$4.50 PFC Application 17 including a contribution of Passenger Facility Charges ("PFCs") (to be determined) for the baggage claim expansion project, the amount to be determined in 2011 taking into account other capital requirements. The amount of PFC-backed bonds (TBD) issued for the baggage claim expansion project (not including financing and interest costs) will be deducted from the Net Airline Financing Requirement Cap.
4. Establish the 440<sup>th</sup> Military Base as a new cost center. The net requirement or 100% of net income will roll up into the Airfield cost center.

- 89 5. Continue existing Capital Improvement Reserve Fund ("CIRF"):  
90 • Used to fund new and replacement equipment, capitalized major maintenance  
91 projects, small capital improvement projects, and/or small County contributions  
92 for federal/state-assisted projects.  
93 • CIRF funded project depreciation is included in airline rates and charges.  
94 • CIRF is funded with depreciation from projects and interest on fund balance.  
95 • During lease term Airport may transfer up to \$4 million from the ADFA to a  
96 new, subsidiary ADF Depreciation Account to provide additional funding for  
97 smaller capital projects. Depreciation expense of these projects will be included  
98 in airline rates and charges, and the depreciation will be credited to the ADF  
99 Depreciation Account. (Bond resolution does not allow the transfer of the \$4  
100 million directly into the CIRF, but this account accomplishes the same result.)  
101 • Major Maintenance Projects – Capitalized (by definition between \$50,000 and  
102 \$200,000) and funded by CIRF or ADF Depreciation Account will not be subject  
103 to MII.  
104 • The existing special capital improvement reserve account used to fund  
105 Timmerman Field projects will be merged with the CIRF.  
106
- 107 6. Signatory airlines will report passengers of their affiliates (code share partners &  
108 subsidiaries, parent companies or contract airlines) combined with their own  
109 passengers and will pay their affiliates' landing fees and rents.  
110
- 111 7. Non-signatory airlines will pay 125% of the rates paid by signatory airlines  
112 (increased from 120%).  
113
- 114 8. Two differential Terminal Rental rate classifications will replace 12 existing  
115 classifications. Airline Public Space will be at the base rate and Airline Non-Public  
116 Space will be at 75% of the base rate. The lease will establish minimum billing  
117 rates of \$10.00 per sq. ft. for Airline Public Space and \$7.50 per sq. ft. for Airline  
118 Non-Public Space. Any excess of terminal rentals collected over the terminal net  
119 requirement will be refunded to the airlines following the year end reconciliation  
120 process. The same process shall be used for the landing fee and airfield cost centers.  
121
- 122 9. Cargo Carriers signatory to cargo building and preferential cargo ramp leases for  
123 terms comparable to the Airline Master Lease will be afforded Signatory landing fee  
124 rates and be afforded voting privileges on those capital projects affecting the cargo  
125 carriers, i.e., airfield projects  
126
- 127 10. Security deposits (three months estimated rates & charges, but excluding PFCs) are  
128 required for new entrant airlines only. Southwest will not be a "new entrant" and its  
129 deposit will be returned upon signing the new lease based upon timely payments to  
130 date.  
131

- 132 11. Airline gates to be preferential with a utilization standard for each gate and also  
133 accommodation language. The non-preferential gate use fee will be established by  
134 County Ordinance (currently \$125 per use for the gate and \$75 for the Passenger  
135 Loading Bridge ("PLB"), subject to annual review by the County). Reassignment of  
136 gates will be based upon a demonstrated need.  
137
- 138 12. In 2012, the Airport plans to purchase all the remaining airline-owned PLBs with  
139 PFCs or ADFA monies.  
140
- 141 13. Current and future passenger loading bridge lease arrangements and all future hold-  
142 room equipment lease arrangements will be included in the Master Lease  
143 Agreement.  
144
- 145 14. Airline premises to be negotiated with each airline to resize based upon their  
146 current requirements; and  
147

148 WHEREAS, the lease Agreement has been reviewed and input provided by County  
149 Corporation Counsel's office, the Risk Management Office, the Department of  
150 Administrative Services, and County Bond Counsel; and  
151

152 WHEREAS, reaching consensus on the draft lease agreement, including approval  
153 from Bond Counsel and the County Controller's Office, took considerably longer than  
154 originally expected  
155

156 WHEREAS, executable copies of the leases would not be sent to the airlines until  
157 mid-September, and as the 'old' lease expires on September 30, 2010, several airlines have  
158 advised Airport staff that a 45-90 day approval and execution process by airline higher  
159 management and airline legal counsels would be needed; and  
160

161 WHEREAS, to address this timing issue, Airport staff agreed to request a 90-day  
162 "grace period" to allow the airlines to proceed through their due diligence and higher  
163 management and legal review processes; and  
164

165 WHEREAS, Airport staff has requested County Board approval to allow the  
166 incumbent Signatory Airlines to pay signatory fees beyond October 1, 2010, until  
167 December 31, 2010, with the proviso that, if an incumbent airline has not signed a new  
168 Airport Use and Lease Agreement by December 31, 2010, Airport staff be authorized to  
169 issue the appropriate three month 25% non-signatory surcharges; and  
170

171 WHEREAS, the Transportation, Public Works and Transit Committee has concurred  
172 with the Airport staff's recommendation that the County Board approve the new airline  
173 Master Lease template described in this report for the term commencing October 1, 2010,  
174 through December 31, 2015, and with Airport staff's recommendation that Airport staff be  
175 allowed to assess the incumbent Signatory Airlines signatory fees beyond October 31 until

176 December 31, 2010, with the proviso that if an incumbent airline has not signed a new  
177 Airport Use and Lease Agreement by December 31, 2010, Airport staff be authorized to  
178 issue the appropriate three month, 25% non-signatory surcharges; and  
179

180 WHEREAS, the Committee on Transportation, Public Works and Transit, at its  
181 meeting of September 15, 2010, recommended approval of the Director of the Department  
182 of Transportation and Public Works and the Director of the Airport's request (vote 6-0);  
183 now, therefore, and  
184

185 BE IT RESOLVED, that the new Master Lease Agreement with the airlines serving  
186 General Mitchell International Airport (GMIA) be approved as described above for the term  
187 commencing October 1, 2010, through December 31, 2015.  
188

189 BE IT FURTHER RESOLVED, that Airport staff is hereby authorized to assess  
190 incumbent Signatory Airlines signatory fees beyond October 31 until December 31, 2010,  
191 with the proviso that, if an incumbent airline has not signed a new Airport Use and Lease  
192 Agreement by December 31, 2010, Airport staff is authorized to issue the appropriate three  
193 month, 25% non-signatory surcharges.  
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**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** September 3, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT: COUNTY BOARD APPROVAL OF A NEW MASTER LEASE AGREEMENT WITH THE AIRLINES SERVING GENERAL MITCHELL INTERNATIONAL AIRPORT (GMIA)**

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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. <sup>1</sup> 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.

County Board approval of a new Master Lease has no fiscal impact on Milwaukee County in and by itself. However, approval of the new Master Lease will result in the continued operation of General Mitchell International and Timmerman airports through funding generated at the airports and the airports' operation will require no tax levy support through the 5 year term of this lease.

Department/Prepared by: Anthony D. Snieg, Deputy Airport Director – Finance/Administration

Authorized Signature

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Did DAS-Fiscal Staff Review?  Yes  No

Reviewed by:

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

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4 (ITEM NO. 5) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to amend agreements with United Parcel Service Co. and Federal  
6 Express, Inc. to allow air cargo carriers to participate in the Majority in Interest (MII) clauses  
7 defined in the proposed airline/airport use and lease agreements, by recommending  
8 adoption of the following:  
9

10 **A RESOLUTION**

11  
12 WHEREAS, Milwaukee County and United Parcel Service Co. and Federal Express  
13 Corporation (collectively referred to as "air cargo carriers") entered into an agreement  
14 (County Board File No. 09-402) for the use and rental of the cargo ramp and buildings that  
15 includes the following:  
16

- 17 • The agreements include a term of five and one-half years in order to allow the  
18 air cargo apron agreements to be co-terminus with the Aero Milwaukee, LLC  
19 lease agreements (a third-party developer at General Mitchell International  
20 Airport [GMIA]). Aero Milwaukee operates the building that houses Federal  
21 Express.
- 22 • Cargo ramp tenants pay the remaining capital cost of the initial Cargo Project  
23 including the following additions, extensions, improvements, and betterments  
24 to the reconstruction of the cargo ramp area:
  - 25 • reinforced concrete apron
  - 26 • reinforced concrete taxiway
  - 27 • temporary bituminous taxiway
  - 28 • apron floodlighting
- 29 • The airport assesses land rent based upon its fair-market rate for improved-  
30 commercial land.
- 31 • The airport assesses building rent based upon its fair-market rate for the air  
32 freight building-cargo/warehouse space; and  
33

34 WHEREAS, the above terms are similar to that of passenger Signatory Airlines that  
35 will operate under the proposed Airline-Airport Use and Lease Agreements between  
36 Milwaukee County and the signatory passenger airlines and will cause the cargo cost  
37 center to be a break-even or profitable operation for the airfield and 440th Air Force  
38 Reserve lands cost centers; and  
39

40 WHEREAS, the air cargo carriers have requested that they be included in the  
41 Majority-In-Interest (MII) clauses relating to the approval process of capital projects within  
42 the airfield and 440th Air Force Reserve lands cost centers of GMIA defined in the  
43 proposed Airline-Airport Use and Lease Agreements between Milwaukee County and the

44 signatory passenger airlines (MII is defined as 51% of the signatory airlines who pay 51%  
45 of the charges for that cost center); and

46

47 WHEREAS, the signatory passenger airlines have agreed to allow air cargo carriers  
48 to participate in the MII clauses relating to the capital projects within the airfield and 440th  
49 Air Force Reserve lands cost centers of GMIA as defined in the proposed Airline-Airport  
50 Use and Lease Agreement between Milwaukee County and the signatory passenger  
51 airlines; and

52

53 WHEREAS, in order to effectuate the amendment to the lease agreements between  
54 Milwaukee County and United Parcel Service Co., and Federal Express, Inc., to allow air  
55 cargo carriers to participate in the MII clauses defined in the proposed Airline-Airport Use  
56 and Lease Agreements at GMIA, Airport staff recommends that Milwaukee County:

57

58 1. Amend Airport Agreement CR-1984 between Milwaukee County and Federal  
59 Express Corporation for the lease of air cargo ramp space by incorporating  
60 the provisions relating to the MII clauses within the airfield and 440th Air  
61 Force Reserve lands cost centers of GMIA as defined in the proposed Airline  
62 Airport Use and Lease Agreement between Milwaukee County and the  
63 signatory passenger airlines;

64

65 2. Amend Airport Agreement CR-1985 between Milwaukee County and United  
66 Parcel Service Co. for the lease of air cargo ramp space and freight building  
67 space by incorporating the provisions relating to the MII clauses within the  
68 airfield and 440th Air Force Reserve lands cost centers of GMIA as defined in  
69 the proposed Airline Airport Use and Lease Agreement between Milwaukee  
70 County and the signatory passenger airlines; and

71

72 WHEREAS, the Transportation, Public Works and Transit Committee, at its meeting  
73 of September 15, 2010, recommended that Milwaukee County approve amending the  
74 lease agreements between Milwaukee County and United Parcel Service Co., and Federal  
75 Express, Inc., to allow Air Cargo Carriers to participate in the MII clauses defined in the  
76 proposed Airline-Airport Use and Lease Agreements at GMIA (vote 6-0); now, therefore,

77

78 BE IT RESOLVED, that the Director of the Department of Transportation and Public  
79 Works and the Airport Director are hereby authorized to approve an amendment to the  
80 lease agreements between Milwaukee County and United Parcel Service Co., and Federal  
81 Express, Inc., to allow Air Cargo Carriers to participate in the Majority In Interest clauses  
82 defined in the proposed Airline-Airport Use and Lease Agreements at General Mitchell  
83 International Airport.

84

85

86

87

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** August 26, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** AMENDMENT TO LEASE AGREEMENTS BETWEEN MILWAUKEE COUNTY AND UNITED PARCEL SERVICE CO., AND FEDERAL EXPRESS, INC., TO ALLOW AIR CARGO CARRIERS TO PARTICIPATE IN THE MAJORITY IN INTEREST (MII) CLAUSES DEFINED IN THE PROPOSED AIRLINE-AIRPORT USE AND LEASE AGREEMENTS

**FISCAL EFFECT:**

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

## DESCRIPTION OF FISCAL EFFECT

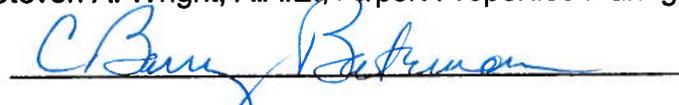
In the space below, you must provide the following information. Attach additional pages if necessary.

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

Airport revenues will not be impacted with the amendment of these respective leases. There is no effect on the tax levy of Milwaukee County.

Department/Prepared by: Steven A. Wright, A.A.E., Airport Properties Manager

Authorized Signature



Did DAS-Fiscal Staff Review?  Yes  No

Reviewed by:

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

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3  
4 (ITEM NO. 6) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to amend Chapter 4 of the Milwaukee County Code of General  
6 Ordinances to make it consistent with the new airline/airport use and lease agreement with  
7 the airlines serving General Mitchell International Airport (GMIA), by recommending  
8 adoption of the following:

9  
10 **A RESOLUTION**

11  
12 WHEREAS, the County's relationship with airlines serving Milwaukee is governed  
13 either by lease for signatory airlines (and their named affiliates) or by ordinance for  
14 nonsignatory airlines; and

15  
16 WHEREAS, Airport staff have now completed negotiations with the airlines that  
17 have signed the existing signatory lease agreement and that have expressed an interest in  
18 signing the new Airline-Airport Use and Lease Agreement; and

19  
20 WHEREAS, the Airport's relationship with the remaining airlines will be governed  
21 by Chapter 4 of the Milwaukee County General Ordinances; and

22  
23 WHEREAS, the existing requirements of Chapter 4, however, are not consistent with  
24 the terms of the new Airline-Airport Use and Lease Agreement; and

25  
26 WHEREAS, in order to make the provisions of Chapter 4 consistent with the new  
27 Airline-Airport Use and Lease Agreement, two sections have been deleted from Chapter 4  
28 and replaced with new language (see Attachment 1); and

29  
30 WHEREAS, in addition, a new appendix to Chapter 4 has been added (see  
31 Attachment 2) which incorporates terms from the new Airline-Airport Use and Lease  
32 Agreement that will also be applicable to non-signatory carriers serving Milwaukee who do  
33 not wish to sign the new signatory lease; and

34  
35 WHEREAS, the Transportation, Public Works and Transit Committee, at its meeting  
36 of September 15, 2010, recommended that Milwaukee County approve amending Chapter  
37 4 of the Milwaukee County Code of General Ordinances effective October 1, 2010, to  
38 make it consistent with the new Airline-Airport Use and Lease Agreement with the airlines  
39 serving GMIA (vote 6-0); now, therefore,

40  
41 BE IT RESOLVED, that the Director of Transportation and Public Works and the  
42 Airport Director are hereby authorized to approve the amendment of Chapter 4 of the  
43 Milwaukee County Code of General Ordinances to make it consistent with the new Airline-  
44 Airport Use and Lease Agreement with the airlines serving General Mitchell International  
45 Airport (GMIA) at GMIA.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** August 26, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** COUNTY BOARD APPROVAL IS REQUIRED TO APPROVE AMENDMENTS TO CHAPTER 4 OF THE MILWAUKEE COUNTY GENERAL ORDINANCES TO MAKE IT CONSISTENT WITH THE NEW AIRLINE-AIRPORT USE AND LEASE AGREEMENT WITH THE AIRLINES SERVING GENERAL MITCHELL INTERNATIONAL AIRPORT

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><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
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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. <sup>1</sup> 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 the deletions from, and the amendments to, Chapter 4 of the Milwaukee County General Ordinances consistent with the negotiated Airline-Airport Use and Lease Agreement will continue the Airport System's operation, (GMIA and Timmerman Airport), as a self-supporting enterprise fund of Milwaukee County. All expenses of the Airport system will be covered through revenue generated at the airports.

Department/Prepared by: C. Barry Bateman, Airport Director  
Timothy R. Karaskiewicz, Principal Assistant Corporation Counsel

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

Reviewed by:

<sup>1</sup> 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.

## Attachment #1

### **4.12. Indemnification.**

~~As a condition to its use and occupancy of portions of General Mitchell International Airport, an air carrier or air transportation company exercising such privilege shall fully indemnify, save and hold harmless the county, the county board, county executive, the transportation, public works and transit committee of the county board or its successor committee, and the officers, agents and employes of the county from and against all claims, liabilities, judgments, damages and costs, and all expenses incidental to the investigation and defense thereof which may accrue against, be charged to, or recovered from the county caused by the fault or negligence of the air carrier or air transportation company, its agents or employes, and arising out of its use and occupancy of and its operations at General Mitchell International Airport, including acts of joint negligence of the air carrier or air transportation company and its agents, but the air carrier or air transportation company shall not be liable for any injury or damage or loss occasioned by the negligence of the county, its agents or employes. The air carrier or air transportation company shall be given prompt and reasonable notice of any claim made or actions instituted which in any way affect the air carrier or air transportation company or its insured, and the air carrier or air transportation company shall have the right to investigate, compromise and defend the same to the extent of its own interests. Any final judgment rendered against the county for any cause for which air carrier or air transportation company is liable hereunder shall be conclusive against said air carrier or air transportation company as to liability and amount.~~

### **4.13. Insurance; liability; worker's compensation, unemployment compensation.**

~~Each air carrier and air transportation company shall, at its own expense, obtain and cause to be kept in force a policy(ies) of comprehensive public liability and property damage insurance in companies licensed to do business in the state for the protection of county against all claims, losses, costs or expense arising out of injuries to persons, whether or not employed by the air carrier or air transportation company, and damage to property, whether resulting from acts or omissions, negligence or otherwise of air carrier or air transportation company or any of its officers, employes, agents, patrons or other persons and growing out of the use of said airport premises by air carrier or air transportation company, such policy(ies) to provide for the combined single minimum of liability, including property and vehicular damage liability, of ten million dollars (\$10,000,000.00) resulting from any one occurrence.~~

~~Each air carrier or air transportation company shall furnish evidence in the form of insurance certificates to the county's airport director of the procurement and continuance in force of said policy(ies), and said policy(ies) shall provide fifteen (15) days' advance written notice of cancellation to county. Said policy(ies) of insurance shall be subject to approval of county's corporation counsel. If there are any changes in the terms of the insurance policy(ies), including the renewal of the policy(ies), the certificates of insurance shall be resubmitted and reflect said changes.~~

~~Each air carrier and air transportation company shall furnish county's airport director with proper certifications that such insurance is in force and will furnish additional certification as evidence of such changes in such insurance not less than ten (10) days prior to any such change if the change results in a reduction in coverages, and not more than five (5) days after such change if the change results in an increase in coverages. Each air carrier and air transportation company shall also furnish to county's airport director satisfactory evidence that it carries compensation insurance as required under the Worker's Compensation Act of the State (being ch. 102, Wis. Stats.) and the provisions thereof, and all acts amendatory thereto and supplemental thereof. Each air carrier and air transportation company shall also furnish evidence satisfactory to said airport director that it carries unemployment insurance pursuant to the statutes of the state.~~

#### 4.12 Use of Airport for Commercial, Non-Commercial, and Air Transportation (Non-Signatory Air Carriers)

(a) The use of any portion of the airport for revenue-producing commercial activities or to solicit business or funds is prohibited unless authorized by the Airport Director by lease, permit or license agreement under such terms and conditions that may be required by the Airport Director for the safe, efficient, and orderly use of the airport.

(b) Air carriers and air transportation companies who have not signed the Airport-Airline Use and Lease Agreement with the County and who occupy space at or use General Mitchell International Airport (GMIA) shall comply with all of the requirements in Appendix \_\_\_\_\_ to Chapter 4 of the Milwaukee County General Ordinances, the terms of any applicable lease, permit, or license, and all airport rules and regulations, as they may be amended from time to time.

(c) Entry onto the airport by any person whether as a representative of an airline or an organization or as an individual constitutes an agreement by the person, airline or the organization to comply with all ordinances and rules and regulations as may be promulgated or amended by the county and its Airport Director and to pay all applicable rents, rates, fees, and charges. Milwaukee County reserves the right to deny any or all use of the airport to any person or organization for any reason.

(d) The amendments and revisions to Section 4.12 shall be effective October 1, 2010.

ATTACHMENT 2

APPENDIX \_\_\_\_\_ TO  
MCGO CHAPTER 4 §4.12

GENERAL MITCHELL INTERNATIONAL AIRPORT  
NON-SIGNATORY AIRLINE REGULATIONS

General Mitchell International Airport  
Milwaukee, Wisconsin

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LIST OF EXHIBITS

<u>Exhibit</u>	<u>Referenced in Section(s)</u>	<u>Description</u>
A		
B		
C		
D		
E		
F		
G		
H	502,509	Monthly Operator's Report
I	502,509	Monthly Report of Actual Aircraft Landings
J	138,151,702	
K		
L		
M		
N		
O		
P		
Q		
R		
S	404	Passenger Loading Bridge Terms and Conditions
T	404	Holdroom Equipment Terms and Conditions

**ARTICLE I: DEFINITIONS**

The following words, terms, and phrases shall have the following meanings:

112. **"Airport"** shall mean General Mitchell International Airport, owned and operated by Milwaukee County, the boundaries of which are more particularly shown on Exhibit A attached hereto and made a part hereof, and such boundaries may be hereinafter amended from time to time.
115. **"Airport System"** shall mean the Airport and the Lawrence J. Timmerman Airport.
117. **"Air Transportation Business"** shall mean the carrying by aircraft of persons, property, cargo, and mail by an air carrier or air transportation company.
120. **"Calendar Year"** shall mean the then-current annual accounting period of the County for its general accounting purposes, which is the period of twelve consecutive calendar months ending with the last day of December of any year.
133. **"Director"** shall mean the Airport Director or Acting Airport Director as from time-to-time appointed by the County and shall include such person or persons as may from time-to-time be authorized in writing by the County Executive or by the Transportation and Public Works Director to act for him with respect to any or all relevant matters.

134. **"Enplaned Passengers"** means all revenue and non-revenue originating, on-line transfer, and off-line transfer passengers boarded at the Airport.
137. **"Federal Aviation Administration"**, hereinafter referred to as FAA, shall mean that agency of the United States Government created and established under the Federal Aviation Act of 1958, or its successor, which is vested with the same or similar authority.
139. **"Gate Position"** shall mean Non-Signatory Airline's preferential use passenger gate(s) including Non-Signatory Airline's preferential Aircraft Parking Apron and the Preferential Use holdroom, passenger loading bridge, and appurtenant furnishings in and about the Airport Terminal Building that are necessary for the use thereof as shown in Exhibit E.
144. **"Landing Area"** shall mean those portions of the Airport (exclusive of buildings, hangars, and aircraft storage areas) provided for landing, takeoff, and taxiing of aircraft, approach and turning zones, aviation easements, easements, runways, taxiways, runway and taxiway lights, and other appurtenances in connection therewith.
149. **"Maximum Gross Certificated Landing Weight"** means the maximum weight, in one thousand (1,000) pound units, at which each aircraft operated by Non-Signatory Airline is authorized by the Federal Aviation Administration to land, as recited in Non-Signatory Airline's flight manual governing that aircraft.

152. **"Non-Signatory Airline"** shall mean an airline which is not a party to an Airport Use and Lease Agreement with Milwaukee County for space at General Mitchell International Airport and is operating under these Regulations.
153. **"Originating Passengers"** means all originating revenue passengers boarded at the Airport.
156. **"Person"** and **"Persons"** shall mean individuals, partner-ships, firms, corporations, and other legal entities.
157. **"PFC"** shall mean a passenger facility charge as established by 14 CFR Part 158.
158. **"PFC-Backed Airport Revenue Bonds"** shall mean any bonds secured by general airport revenues and by Passenger Facility Charges authorized and issued by the County of Milwaukee for construction of or on the Airport.
159. **"Preferential Use Premises"** are those premises leased to a Signatory Airline for its use and occupancy on a basis that gives the Signatory Airline priority of use over all other users.
160. **"Ramp Area"** shall mean the aircraft parking and maneuvering areas in the vicinity of the Airport Terminal Building.
161. **"Requesting Airline"** means any Airline requesting an accommodation for the use of space at the Airport because of plans to begin or to increase the number of flights at the Airport.

162. **"Revenue Landing"** shall mean an aircraft landing at Airport from which revenue is derived for the transportation by air of persons or property including flights diverted from other airports, but "Revenue Landing" shall not include any landing of an aircraft which, after having taken off from Airport, and without making a landing at any other airport, returns to land at Airport because of meteorological conditions, mechanical or operating causes, or any other reason of emergency or precaution.
164. **"Rules and Regulations"** means any rules, regulations, statutes and ordinances promulgated by federal, state, County or any local government for the orderly use of the Airport System by both the airlines and other tenants and users of the Airport System as the same may be amended, modified, or supplemented from time to time. Copies of the current Rules and Regulations are available upon request to County.
165. **"Scheduled Air Carrier"** shall mean an air transportation company performing or desiring to perform, pursuant to published schedules, commercial air transportation services over specified routes to and from Airport, and holding any necessary authority to provide such transportation from the appropriate federal or state agencies.
166. **"Signatory Airline"** shall mean a Scheduled Air Carrier which has executed these Regulations with the County that includes the lease of Exclusive Use Premises and Preferential Use Premises directly from the County.
167. **"Signatory Cargo Airline"** shall mean a scheduled cargo carrier which has executed an agreement with County that includes the

lease of cargo building space and preferential cargo ramp space directly from the County for a term comparable to the term of these Regulations.

169. **"Timmerman Airport"** shall mean the general aviation reliever airport owned by the County, as shown in Exhibit B.

170. **"Total Landed Weight"** means the sum of the Maximum Gross Certificated Landing Weight for all aircraft arrivals of Non-Signatory Airline over a stated period of time.

171. **"Transportation Security Administration"** or **"TSA"** means the Transportation Security Administration created under the Aviation and Transportation Security Act of 2001 as amended.

Additional words and phrases used in these Regulations but not defined herein shall have the meanings set forth in the Bond Resolution or, if not so set forth, shall have their usual and customary meanings.

**ARTICLE II: TERM OF THE AGREEMENT**

**Section 201 Term**

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**Section 202 Option to Extend Term**

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**Section 203 Holding Over**

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**ARTICLE III: NON-SIGNATORY AIRLINE RIGHTS, PRIVILEGES AND LIMITATIONS**

**Section 301 Use of Airport**

Subject to the terms of this Appendix and Milwaukee County Ordinances, a Non-Signatory Airline shall have the right to conduct its Air Transportation Business at the Airport and to perform all operations and functions that are incidental or necessary to the conduct of such business at the Airport. Nothing in this Article shall be construed as authorizing Non-Signatory Airline to conduct any business separate and apart from the conduct of its Air Transportation Business at the Airport. Any rights not specifically granted to Non-Signatory Airline for its use of and operations at the Airport pursuant to this Appendix are hereby reserved for and to the County.

- (A) **Use in Common of Airport Terminal Building.** Non-Signatory Airline shall have the right to use, in common with, and subject to the rights of others so authorized, the public areas and public facilities of the Airport Terminal Building.
  
- (B) **Use in Common of Airfield Operations Area.** Non-Signatory Airline shall have the right to use the areas included in the Airfield Cost Center, in common with others so authorized, to land, takeoff, fly over, taxi, tow, park, and condition Non-Signatory Airline's aircraft. Non-Signatory Airline shall have the right to park, service, deice, load, unload, provision, and maintain Non-Signatory Airline's aircraft and support equipment in areas designated by the Airport Director, subject to the availability of space. Non-Signatory Airline shall not knowingly permit, without the consent of the Airport Director, the use of the Airfield Operations Area or any portion thereof

by any aircraft operated or controlled by Non-Signatory Airline that exceeds the design strength or capability of such area as described in the then-current FAA-approved Airport Layout Plan (ALP) or other engineering evaluations performed subsequent to the then-current ALP, including the then-current Airport Certification Manual, a copy of which shall be provided, upon request, by the County to Non-Signatory Airline.

- (C) **Non-Signatory Airline Operations.** Non-Signatory Airline shall have the right to handle reservations; sell tickets, including electronic tickets; provision aircraft; document shipments; and load and unload persons, property, cargo, and mail, including interlining with other Non-Signatory Airlines.
- (D) **Maintenance of Aircraft and Equipment.** Non-Signatory Airline shall have the right to conduct routine servicing by Non-Signatory Airline, or by its suppliers of materials or by its furnishers of routine services, of aircraft operated by Non-Signatory Airline or by other airlines at Non-Signatory Airline's Aircraft Parking Apron, or as otherwise permitted by the County's Rules and Regulations; provided, however, that Non-Signatory Airline shall not do, or permit to be done any heavy maintenance (e.g., engine changes, control surface replacements and overhauls) at Non-Signatory Airline's Aircraft Parking Apron unless such maintenance is consented to by the Airport Director. Non-Signatory Airline shall restrict its maintenance and/or repairs of ground support equipment (e.g., baggage carts, power units, and trucks) only to areas designated by the Airport Director for that purpose. The Airport Director reserves the right to require all third-party suppliers of materials or furnishers of services doing business at the Airport to secure an operating agreement from the County, to comply with all applicable Rules and Regulations, and to pay any applicable

fees, not to include a percentage of gross revenues, to the County for conducting such activity at the Airport.

(E) **Ramp Support.** Subject to applicable fees and charges, Non-Signatory Airline shall have the right to use water, electric power, telephone, and preconditioned air systems, to the extent supplied by the County, at or adjacent to Non-Signatory Airline's assigned Aircraft Parking Apron. To the extent such systems are not supplied by the County, Non-Signatory Airline shall have the right to purchase, install, use, and maintain, at Non-Signatory Airline's assigned Aircraft Parking Apron, equipment and services necessary for loading, unloading, and general servicing of Non-Signatory Airline's aircraft, auxiliary power systems, air start systems, preconditioned air systems, and other miscellaneous aircraft and aircraft-related support equipment and facilities.

(F) **Storage of Fuels, Lubricants, and Deicing Fluids.** Non-Signatory Airline shall have the right to erect or install and maintain on the Airport, only at locations designated, and in a manner approved by the Airport Director, adequate storage facilities for fuels, lubricants, and deicing fluids, together with the necessary pipes, pumps, motors, filters and other appurtenances incidental to the use thereof. Non-Signatory Airline shall install, maintain, and operate such storage facilities in full compliance with all applicable federal, state and local laws and regulations, and in accordance with insurance underwriters' standards. The County reserves the right to assess a rental or use charge for any such storage areas, if located outside Non-Signatory Airline's Premises.

(1) Non-Signatory Airline shall apply deicing/anti-icing fluids only in areas in which appropriate containment systems are

operational, or in areas otherwise designated by the Airport Director in the approved snow plan. The County reserves the right to include the costs associated with the operation and maintenance of containment systems in the Airfield Cost Center.

- (2) All non-hydrant fueling trucks are subject to Airport rules and regulations.
- (G) **Personnel.** Non-Signatory Airline shall have the right to hire and train personnel in the employ of or to be employed by Non-Signatory Airline at the Airport.
- (H) **Customer Service.** Non-Signatory Airline shall have the right to provide to its passengers such services that Non-Signatory Airline normally provides at similar airports, such as skycaps and wheelchair services. Non-Signatory Airline shall not provide any type of motorized passenger cart services within the Airport Terminal Building without the approval of the Airport Director, which shall be granted or denied on a nondiscriminatory basis.
- (I) **Test of Aircraft and Equipment.** Non-Signatory Airline shall have the right to test aircraft and other equipment owned or operated by Non-Signatory Airline; provided that such testing is incidental to the use of the Airport in the operation by Non-Signatory Airline of its Air Transportation Business and will not hamper or interfere with use of the Airport and its facilities by others entitled to use of the same and that such testing is conducted in areas designated by the Airport Director for that purpose. The County reserves the right to restrict any testing operations it deems to interfere with the safe and efficient use of the Airport and its facilities or to create excessive noise as determined by the Airport Director.

- (J) **Use of Ground Transportation.** Non-Signatory Airline shall have the right to provision, load and unload persons, property, cargo, and mail by motor vehicles or other means of conveyance, operated by itself or provided by third-party suppliers, as Non-Signatory Airline may desire or require in the operation of its Air Transportation Business, via routes and at locations designated by the Airport Director; provided, however, that the Airport Director reserves the right to require such third-party supplier or suppliers to secure an operating agreement from the County, to comply with all applicable Rules and Regulations, and to pay any applicable fees to the County to conduct such activity at the Airport.
- (K) **Modification of Airline Premises.** Intentionally left blank.
- (L) **Airline Clubs.** Intentionally left blank.
- (M) **Handling Arrangements.** Non-Signatory Airline shall have the right to enter into or conduct handling arrangements as part of its Air Transportation Business at the Airport.
- (1) Ground-handling arrangements entered into under authority of this provision shall be subject to the provider obtaining an operating agreement from the County.
- (N) **Airport Access.** Non-Signatory Airline shall have the right of ingress to and egress from the Airport including the Premises used by Non-Signatory Airline of Non-Signatory Airline and the public areas and public facilities of the Airport Terminal Building, for Non-Signatory Airline's employees, agents, contractors, passengers, guests, invitees, licensees, suppliers of materials and providers of service, and its or their

equipment, vehicles, machinery, and other property; provided, however, that the foregoing shall not preclude the County from: (i) subjecting such persons to the County's Rules and Regulations, (ii) requiring such persons to enter into an agreement with the County when such access is required on an ongoing basis, or (iii) imposing any charge, permit or license fee for the right to do business at the Airport; further provided, however, that ingress to and egress from the Airport may be conditioned on adherence to security requirements, and may be limited on temporary bases for security reasons.

(0) **Right to Purchase Services and Products.** Non-Signatory Airline shall have the right to purchase or contract for the purchase of the following services and products subject to the limitations contained herein:

(1) Non-Signatory Airline may purchase or otherwise obtain products of any nature, including aircraft, engines, accessories, gasoline, oil, grease, lubricants, fuel, propellants, passenger supplies and other materials, equipment, supplies, articles, and goods, used or acquired by Non-Signatory Airline in connection with or incidental to Non-Signatory Airline's Air Transportation Business at the Airport from any person or company; provided, however, that the County reserves the right to require such person or company to secure an operating agreement from the County, to comply with all applicable Rules and Regulations, and to pay any applicable fees to the County to conduct such activity at the Airport.

(2) Non-Signatory Airline shall have the right to contract with a third party or Non-Signatory Airline-owned ground handler to provide to it or to perform for it any of the services

or functions which it is entitled to perform hereunder, provided that such third party or Non-Signatory Airline-owned ground handler must secure an operating agreement from the County, maintain any permits and pay all fees required by the County. The contractual relationship between any third party and Non-Signatory Airline shall not affect in any way the fulfillment of Non-Signatory Airline's obligations, including those of insurance and indemnification for activities, hereunder.

(3) Any suppliers, contractors or agents performing services for, or selling products to, Non-Signatory Airline at the Airport shall secure an operating agreement from the County, conform to applicable performance standards, lease requirements, and the County's Rules and Regulations, including any permit requirement or payment of fees required by the County.

(P) **Communications and Weather Equipment, Multi-User Flight Information Display System (MUFIDS) and Public Address System.** Intentionally left blank.

(Q) **Food and Beverage.** Intentionally left blank.

(R) **Display Materials.** Intentionally left blank.

(S) **Strict Construction of Rights.** The rights granted to Non-Signatory Airline hereunder may be exercised by Non-Signatory Airline only to the extent such rights are necessary or incidental to the conduct by Non-Signatory Airline of its Air Transportation Business at the Airport.

**Section 302 Prohibition Against Exclusive Rights**

It is hereby specifically understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right to provide aeronautical services to the public as prohibited by Section 308(a) of the Federal Aviation Act of 1958, as amended, and the County reserves the right to grant to others the privilege and right of conducting any or all activities of an aeronautical nature.

**Section 303 Restrictions on Exercise of Rights and Reservation of Rights to County**

The rights established in this Article shall not be exercised so as to interfere with the County's operation of the Airport for the benefit of all aeronautical users, and shall be subject at all time to the restrictions herein and reservation of rights by the County.

(A) **No Interference with Operations.** If the Airport Director determines that Non-Signatory Airline or its employees, agents, affiliates, contractors or suppliers are exercising the rights and privileges granted to Non-Signatory Airline pursuant to this Article: (i) in a manner which interferes with the operation or maintenance of the Airport; (ii) in a manner which adversely affects the health, safety or security of the public or other users of the Airport; or (iii) in a manner which fails to comply with the County's Rules and Regulations or terms of these Regulations, the Airport Director shall give Non-Signatory Airline Notice of such determination including the specific reasons therefore. Non-Signatory Airline shall promptly commence and diligently pursue actions necessary to correct the conditions or actions specified in such Notice. If such

conditions or actions are not, in the opinion of the Airport Director, promptly corrected after receipt of such Notice or if such conditions or actions required corrective action over a period of time, and Non-Signatory Airline has not, in the opinion of the Airport Director, promptly commenced and diligently pursued all such corrective action, then upon 10 days Notice from the County to Non-Signatory Airline, the County may suspend Non-Signatory Airline's or its contractor's access to the Airport. Notwithstanding the foregoing provision, the County shall have the right, upon Notice to Non-Signatory Airline, to immediately suspend operations of Non-Signatory Airline or of said contractors if such action is necessary to protect the health, safety or security of the public or other users of the Airport or in emergency situations.

- (B) **Integration with Systems.** Non-Signatory Airline shall not knowingly do, or permit to be done, anything that may interfere with the effectiveness or accessibility of the drainage, sewer, water, communications, heating or ventilation, air conditioning, natural gas, sprinkler, alarm or fire protection systems, fire hydrants and hoses, or any other part of the utility, electrical, or other systems installed or located from time to time at the Airport.
- (C) **Right to Designate Location.** The County reserves the right to designate the locations within which all of the activities conducted at the Airport, including the activities authorized herein, shall be conducted, and to change such designations from time to time; provided, however, that the County shall comply with the provisions of these Regulations if Non-Signatory Airline's Airline Premises, or any portion thereof, are relocated as a result of any re-designation. To the extent that such designation changes or effects the Non-Signatory Airline's

Air Transportation Business conducted at the Airport, the County shall provide Non-Signatory Airline written notice thereof and shall seek to mitigate any real or potential negative impact to such Air Transportation Business.

- (D) **Airport Access.** The County may, from time to time, temporarily or permanently close or restrict specific roadways, taxiways, taxi lanes, runways, apron areas, doorways, and any other area at the Airport; provided, however, that, unless an emergency situation exists, to the extent that the County deems it practical, Non-Signatory Airline shall be notified with regard to such closings in order to minimize the disruption of services being provided. The County shall have the right at any time or times to relocate, reconstruct, change, alter, or modify any such means of access, either temporarily or permanently; provided that an adequate means of access, ingress, and egress shall exist or be provided in lieu thereof. The County shall notify Non-Signatory Airline of any such action.
  
- (E) **Telecommunication and Data Networking Infrastructure.** The Airport Director, acting in its capacity as manager of the Airport, retains the right to act as or designate the provider of wireless and wireline public telecommunications services and public data networking infrastructure for the general public in the public accessible areas of the Airport, including club rooms.
  
- (F) **Informational Devices.** The County reserves the right to install or cause to be installed informational devices, including static and electronic advertising, in all public accessible areas of the Airport Terminal Building; provided, however, that such installation shall not unreasonably interfere with the operations of Non-Signatory Airline authorized herein. Upon

prior notification by the Airport Director, the County has the right to enter Non-Signatory Airline's Non-Signatory Airline Premises to install or service such devices. The County shall be entitled to all income generated by such devices. The County will use its best efforts to not allow advertising messages featuring services or products of Non-Signatory Airline's competitors to be displayed in informational devices located within Non-Signatory Airline's Preferential Use Gates.

(G) **All Other Rights.** Any and all rights and privileges not specifically granted to Non-Signatory Airline for its use of and operations at the Airport pursuant to these Regulations are hereby reserved for and to the County.

**Section 304      Prohibitions**

Non-Signatory Airline shall not do, authorize to be done, or fail to do anything at the Airport which may: (i) create or contribute to a nuisance, (ii) in any way obstruct or interfere with rights of others using the Airport, or (iii) create a hazardous condition so as to increase the risks normally attendant upon operations permitted herein.

**(A) Noise Abatement.**

(i) Non-Signatory Airline shall abide with all standards established for engine run-up, engine maintenance, and noise abatement rules, regulations and procedures as set forth by Federal regulation, Milwaukee County Ordinance, and/or Airport policies developed for aircraft operations at the Airport.

(ii) From time to time the County may adopt and enforce policies, rules and regulations with respect to noise

abatement and use of the Airport not inconsistent with Federal law. Non-Signatory Airline agrees to observe and to require its officers, agents, employees, contractors, and suppliers to observe and obey the same including compliance with the Airport's noise abatement policies and procedures, as promulgated or as amended from time to time. Non-Signatory Airline agrees to observe and obey any and all such rules and regulations and all other applicable Federal, State and local rules and regulations.

- (B) **Engine Runups.** Non-Signatory Airline shall perform aircraft engine runups only at locations and during time periods approved by the Airport Director.
- (C) **Disabled Aircraft.** Upon release from any applicable governmental authorities, Non-Signatory Airline shall promptly remove any of its disabled aircraft from the Airfield Operations Area or Aircraft Parking Aprons, shall place any such disabled aircraft only in such storage areas as may be designated by the Airport Director, and shall store such disabled aircraft only upon such terms and conditions as may be established by the Airport Director. If Non-Signatory Airline fails to promptly remove its disabled aircraft from the Airfield Operations Area or Aircraft Parking Aprons, the Airport Director may remove said aircraft and take any other appropriate action under the circumstances, with no liability to County for any damages or any other results of taking such actions. The County shall add the cost of such removal or other action, plus actual administrative costs, including time and expenses, as an additional charge due hereunder on the first day of the month following the date of such work. The County's rights under this Section are in addition to all other rights and remedies provided to the County hereunder.

(D) **Aircraft Apron Operations:** Non-Signatory Airline shall abide by the following provisions:

(i) Non-Signatory Airline shall operate in such a manner so as to insure the safety of persons and property on the aircraft apron.

(ii) The Airport Director retains the right to review and approve all aircraft push-out, power-out, and/or power-back operating procedures at each Aircraft Parking Apron, which approval shall not be delayed or denied.

**Section 305      Airport Security**

Non-Signatory Airline covenants and agrees that it will at all times maintain the integrity of the Airport Security Plan and 49 CFR Part 1500 et al. Should Non-Signatory Airline, through a negligent act of its own, allow access to the Air Operations Area (AOA), Security Identification Display Area (SIDA), or Sterile Area to an unauthorized person or persons, and should County receive a civil penalty citation for Non-Signatory Airline's breach of security, Non-Signatory Airline agrees to reimburse County for any monetary civil penalty which may be imposed upon County by the Department of Homeland Security, the Transportation Security Administration (TSA), the Federal Aviation Administration (FAA), or any other federal, state, county, or local government authority resulting from said breach.

**Section 306      Security and Special Provisions**

(A) Responsibility for Security of Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline. Non-

Signatory Airline acknowledges and accepts full responsibility for the security and protection of the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline, any improvements thereon, its equipment and property on the Airport and control of access to the AOA through the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline by persons and vehicles. Non-Signatory Airline fully understands and acknowledges that any security measures deemed necessary by Non-Signatory Airline for the protection of said Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline, equipment and property and access to the AOA through the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline shall be the sole responsibility of Non-Signatory Airline and shall involve no cost to County. Subject to restrictions imposed by applicable law, if any, all such security measures by Non-Signatory Airline shall be in accordance with 49 CFR 1542 and the Airport Security Plan.

- (B) **Security Identification Display Area Access - Identification Badges.** Non-Signatory Airline shall be responsible for requesting County to issue identification ("ID") badges to all employees who are authorized access to Security Identification Display Area ("SIDA") on the Airport, designated in the Airport's security program and shall be further responsible for the immediate reporting of all lost or stolen ID badges and the immediate return of the ID badges of all personnel transferred from Airport assignment or terminated from the employ of Non-Signatory Airline or upon termination of these Regulations. Each employee must complete the SIDA training program conducted by County, before an ID badge is issued. Non-Signatory Airline shall pay, or cause to be paid, to County such nondiscriminatory charges, as may be established from time to time, for lost or

stolen ID badges and those not returned to County in accordance with these Regulations. Subject to an restrictions imposed by any applicable law, County shall have the right to require Non-Signatory Airline to conduct background investigations and to furnish certain data on such employees before the issuance of such ID badges, which data may include the fingerprinting of employee applicants for such badges.

The privilege of unescorted access associated with a SIDA badge may be suspended or revoked for any violation of security rules, regulations, or policies. Additionally, monetary penalties may be assessed against any person for any violation of security rules or regulations including, but not limited to, Milwaukee County General Ordinance 4.02(8) as may be amended from time to time.

(C) **AOA-Driver Training.** Before Non-Signatory Airline shall permit any employee to operate a motor vehicle of any kind or type on the AOA, Non-Signatory Airline shall require such employee to attend and successfully complete the AOA Driver Training Course conducted from time to time by County. The privilege of a person to operate a motor vehicle on the AOA may be withdrawn by County for any violation of AOA driving rules. Notwithstanding the above, Non-Signatory Airline shall be responsible for ensuring that all such vehicle operators possess current, valid, appropriate state-issued driver's licenses.

(D) **Alcohol and Drug Testing.** Non-Signatory Airline acknowledges that County, as a public agency sponsor under the provisions of the Airport and Airway Improvement Act of 1982, as amended (the "Act"), has the obligation to establish a drug free workplace and to establish policies and programs to ensure airport safety

and security. Non-Signatory Airline acknowledges that County has the right to require users of the Airport (Non-Signatory Airlines, Permittees, Licensees, etc.) to establish programs to further the achievement of the objectives described herein. Accordingly, Non-Signatory Airline shall establish programs for pre-employment alcohol and drug screening for all candidates for employment at the Airport who will as a part of their duties (a) be present on the AOA; (b) operate a motor vehicle of any type on the AOA; or (c) operate any equipment, motorized or not, on the AOA and for the same or similar screening based upon a suspicion that an employee, while on duty on the AOA, may be under the influence of alcohol or drugs. Notwithstanding the above, Non-Signatory Airline specifically acknowledges that County has the right and obligation to deny access to the AOA and to withdraw AOA driving privileges from any person who it has a suspicion to believe is under the influence of alcohol or drugs.

- (E) **Special Programs.** Non-Signatory Airline shall ensure that all employees participate in such safety, security and other training and instructional programs, as County or appropriate Federal agencies may from time to time require.
  
- (F) **Vehicle Permit and Company Identification.** Motor vehicles and equipment of Non-Signatory Airline operating on the AOA must have an official motor vehicle identification permit issued pursuant to Operational Directives of County. In addition, company identification must be conspicuously displayed thereon.
  
- (G) **Federal Agencies Right to Consent.** Non-Signatory Airline understands and agrees that all persons entering and working in or around arriving international aircraft and facilities used by

the various Federal Inspection Services agencies may be subject to the consent and approval of such agencies. Persons not approved or consented to by the Federal Inspection Services agencies shall not be employed by Non-Signatory Airline in areas under the jurisdiction or control of such federal inspection agencies.

- (H) **AOA, SIDA, Sterile Area Right to Search.** Non-Signatory Airline agrees that its personnel, vehicles, cargo, goods and other personal property are subject to being searched when attempting to enter or leave and while in the AOA, SIDA, or Sterile Area. Non-Signatory Airline further agrees that it shall not authorize any employee or agent to enter the AOA, SIDA, or Sterile Area unless and until such employee has been issued an Airport ID badge or has received a Visitor's Badge where required, or is under the escort of an authorized Airport ID Badge holder.

It is further agreed that County has the right to prohibit an individual, agent or employee of Non-Signatory Airline from entering the AOA, SIDA, or Sterile Area based upon facts which would lead a person of reasonable prudence to believe that such individual might be inclined to engage in theft, cargo tampering, aircraft sabotage or other unlawful activities. Any person denied access to the AOA, SIDA, or Sterile Area, or whose prior authorization has been revoked or suspended on such grounds shall be entitled to a hearing before the Airport Director or his authorized designee within a reasonable time. Prior to such hearing, the person denied access to the AOA, SIDA, or Sterile Area shall be advised, in writing, of the reasons for such denial.

Non-Signatory Airline acknowledges and understands that these

provisions are for the protection of all users of the AOA, SIDA, or Sterile Area and are intended to reduce the incidence of thefts, cargo tampering, aircraft sabotage and other unlawful activities at the Airport.

(I) **Right of Flight.** There is hereby reserved to County, its successors and assigns, for the use and benefit of County and the public, a right of flight for the passage of aircraft in the air space above the surface of the premises herein leased, together with the right to cause in said air space such noise as may be inherent in the operation of aircraft, now known or hereafter used for navigation of or flight in the air, using said air space for landing at, taking off from or operating on the Airport.

**Section 307      Impact on Airport Certification**

Non-Signatory Airline shall not knowingly do or permit its agents, directors, or employees to do anything at the Airport that would be in conflict or violate the requirements of Part 139 of the Federal Aviation Regulations, "Certification and Operations: Land Airports Serving Certain Air Carriers," as amended from time to time, or any successor regulation, order, or directive, or that would jeopardize the Airport's operating certificate obtained pursuant to such Federal regulations.

**Section 308      Non-Signatory Airline Summary**

Upon request by the Airport Director, Non-Signatory Airline shall provide to the County on a timely basis the following information and such additional information as the Airport Director may request from time to time:

- (A) The names, addresses, and telephone numbers of Non-Signatory Airline officials responsible for station operations, flight operations, properties, facilities, public and media relations, and civic affairs, including a 24-hour emergency contact. Non-Signatory Airline shall update information as needed.

**Section 309      Environmental Impairment and Hazardous Material  
Financial and Legal Responsibility**

**(A) Definitions**

- (1) "Hazardous Material" means any substance: (i) the presence of which requires investigation or remediation under any Federal, State or local statute, regulation, ordinance, order, action or policy; or (ii) which is or becomes defined as a "hazardous waste" or "hazardous substance" under any Federal, State or local statute, regulation or ordinance or amendments thereto, including without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. section 9601 et seq.), and/or the Resource Conservation and Recovery Act (42 U.S.C. Section 6901, et seq.); or (iii) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous and is or becomes regulated by any governmental authority, agency, department, commission, board, agency or instrumentality of the United States, the State of Wisconsin, or any political subdivision thereof; or (iv) the presence of which on the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline under these Regulations or other property owned or leased by County causes or threatens to cause a nuisance upon the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline or poses or

threatens to pose a hazard to the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline or to the health or safety of persons on or about the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline; or (v) which contains gasoline, diesel fuel or other petroleum hydrocarbons; or (vi) which contains polychlorinated bipheynols (PCBs), asbestos or urea formaldehyde foam insulation.

- (2) "Environmental Requirements" means all applicable past, present and future statutes, regulations, rules, ordinances, codes, licenses, permits, orders, approvals, plans, authorizations, concessions, franchises and similar items of all governmental agencies, departments, commissions, boards, bureaus or instrumentalities of the United States, the State of Wisconsin and political subdivisions thereof and all applicable judicial and administrative and regulatory decrees, judgments and orders relating to the protection of human health or the environment, including, without limitation: (i) all requirements, including, but not limited to, those pertaining to reporting, licensing, permitting, investigation and remediation of emissions, discharges, releases or threatened releases of Hazardous Materials, chemical substances, pollutants, contaminants or hazardous or toxic substances, materials, or wastes, whether solid, liquid or gaseous in nature; and (ii) all requirements pertaining to the protection of the health and safety of employees or the public.

- (3) "Environmental Damages" means all claims, judgments, damages, losses, penalties, fines, liabilities (including

strict liability), fees and expenses of defense of any claim and of any settlement or judgment, including without limitation attorneys' fees and consultants' fees, any of which are incurred at any time as a result of the existence of Hazardous Material upon, about, or beneath the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline or migrating or threatening to migrate to or from the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline, or the existence of a violation of Environmental Requirements pertaining to the Premises used by Non-Signatory Airline Premises used by Non-Signatory Airline including without limitation: (i) damages for personal injury, or injury to property or natural resources occurring upon or off the Premises used by Non-Signatory Airline, foreseeable or unforeseeable, including without limitation, lost profits, consequential damages, interest and penalties, including, but not limited to, claims brought on behalf of employees of Non-Signatory Airline or County; (ii) diminution in the value of the Premises used by Non-Signatory Airline, and damages for the loss of or restriction on the use of or adverse impact on the marketing of rentable or usable space or of any amenity of the Premises used by Non-Signatory Airline; (iii) fees incurred for the services of attorneys, consultants, contractors, experts, laboratories and all other fees incurred in connection with the investigation or remediation of such Hazardous Materials or violation of Environmental Requirements, including, but not limited to, the preparation of any feasibility studies or reports or the performance of any cleanup, remedial, removal, containment, restoration or monitoring work required by any Federal, State or local governmental agency or political

subdivision, or necessary to make full economic use of the Premises used by Non-Signatory Airline or otherwise expended in connection with such conditions; (iv) liability to any third person or governmental agency to indemnify such person or agency for fees expended in connection with the items referenced in this Subparagraph.

(B) **Representations and Warranties**

- (1) With the exception of prior activities of Non-Signatory Airline, if any, prior to execution of the lease Agreement involving Hazardous Materials or to the extent such activities have caused Environmental Damages, County hereby represents to Non-Signatory Airline that, to the best of its knowledge, as of the date hereof, the Premises used by Non-Signatory Airline are free of any adverse environmental conditions and that there are not Hazardous Materials upon, or beneath the Premises used by Non-Signatory Airline.
- (2) County represents and warrants that it has all permits and licenses required to be issued to it by any governmental authority on account of any and all of its activities on the Premises used by Non-Signatory Airline and other properties at the Airport, and that it is in full compliance with the terms and conditions of such permits and licenses. No change in the facts or circumstances reported or assumed in the application for or gathering of such permits or licenses exists, and such permits and licenses are in full force and effect.
- (3) Any of the foregoing representations and all warranties as set forth in this Paragraph 309 shall survive the expiration or termination of these Regulations, and any

transfer of County's interest in the Premises used by Non-Signatory Airline or other properties adjacent thereto (whether by sale, foreclosure, deed in lieu of foreclosure or otherwise), except as to such representations and warranties as may be affected by any investigation by or on behalf of either party, by any information which either party may have or obtain with respect thereto, on the applicable statute of limitations.

(C) Financial and Legal Responsibility of County and Non-Signatory Airline

(1) County's Financial and Legal Responsibility

(a) Except for all activities of Non-Signatory Airline with regard to the Premises used by Non-Signatory Airline which created or could have created Environmental Damage, County shall, subject to any claim it may have against any other party, bear financial responsibility and legal liability for any and all Environmental Damages arising from the presence of Hazardous Materials upon or beneath the Premises used by Non-Signatory Airline which are caused by County or which migrate thereto from any source (except from this Non-Signatory Airline), or arising in any manner whatsoever out of the violation of any Environmental Requirements applicable to and enforceable against County, which pertain to the Premises used by Non-Signatory Airline and activities thereon, during the term of the Agreement.

(b) Without limiting the generality of the foregoing, the responsibility provided by this subparagraph shall also specifically cover costs incurred in connection

with:

- (i) Except as identified in Paragraph 309(B)(1), those Hazardous Materials present or suspected to be present in the soil, groundwater or soil vapor on or under the Premises used by Non-Signatory Airline prior to Non-Signatory Airline's initial and continuous occupancy of same;
  - (ii) Hazardous Materials that migrate, flow, percolate, diffuse, or in any way move onto the Premises used by Non-Signatory Airline, including by way of discharge, dumping, or spilling, accidental or otherwise, either before or during the term of these Regulations, as a result of County's, its agent's, employee's, other Non-Signatory Airlines (except this Non-Signatory Airline), and predecessors in interest's, invitee's, successor's and assign's intentional or negligent acts, omissions or willful misconduct; or
  - (iii) Compliance and participation as a co-permittee with Airport's State of Wisconsin Pollutant Discharge Elimination System (WPDES) storm water permit.
- (c) In no event will County bear financial responsibility or legal liability for Hazardous Materials present or Environmental Damage that is the result of any

wrongful, intentional, or negligent act or omission, willful misconduct, direct or indirect acts of Non-Signatory Airline or its agents, representatives, employees, contractors, subcontractors or invitees.

- (2) Non-Signatory Airline's Financial and Legal Responsibility
  - (a) Non-Signatory Airline shall bear financial responsibility and legal liability for any and all Environmental Damages arising from the presence of Hazardous Materials upon or beneath the Premises used by Non-Signatory Airline, caused by Non-Signatory Airline, its agents, employees, or invitees, or arising in any other manner whatsoever out of the violation of any Environmental Requirements applicable to and enforceable against Non-Signatory Airline, which pertain to the Premises used by Non-Signatory Airline and activities thereon, during the term of the Agreement, except as provided in subparagraph C.(1) ("County's Financial and Legal Responsibility") above, or arising in any other manner whatsoever out of the violation of any Environmental Requirements applicable to and enforceable against Non-Signatory Airline or which pertain to the Premises used by Non-Signatory Airline or activities thereon, during the term of the Agreement.
  - (b) Without limiting the generality of the foregoing, the responsibility provided by this subparagraph shall also specifically cover costs incurred in connection with:
    - (i) Those Hazardous Materials present or suspected to

be present in the soil, groundwater or soil vapor on or under the Premises used by Non-Signatory Airline after Non-Signatory Airline's initial and continuous occupancy of same; or

(ii) Hazardous Materials that migrate, flow, percolate, diffuse, or in any way move from the Premises used by Non-Signatory Airline to other areas within or adjacent to the Airport, including by way of discharge, dumping, or spilling, accidental or otherwise, during the term of these Regulations, as a result of Non-Signatory Airline's, its agent's, employee's, interest's, invitee's, successor's and assign's intentional or negligent acts, omissions or willful misconduct.

(c) In no event will Non-Signatory Airline bear financial responsibility or legal liability for Hazardous Materials present or Environmental Damage that is the result of any wrongful, intentional, or negligent act or omission, willful misconduct, direct or indirect acts of County or its agents, representatives, employees, contractors, subcontractors or invitees.

(3) Such financial responsibility shall include, but not be limited to, the burden and expense of defending all suits and administrative proceedings and conducting all negotiations of any description, and paying and discharging, when and as the same become due, any and all judgments, penalties or other sums due against Non-Signatory Airline or County and its partners and their

respective directors, officers, shareholders, employees, legal successors, assigns, agents, contractors, subcontractors, experts, licensees and invitees, and obligation to remediate as further described in Subparagraph D. Such financial responsibility shall survive the expiration or termination of these Regulations, the discharge of all other obligations owed by the parties to each other, and any transfer of title to the Premises used by Non-Signatory Airline or other properties adjacent thereto (whether by sale, foreclosure, deed in lieu of foreclosure or otherwise).

(D) Obligation to Remediate

- (1) Subject to and as a result of Paragraph C., County shall at its sole cost and expense, promptly take all actions required by any Federal, State, or local governmental agency or political subdivision or actions necessary to mitigate Environmental Damages or to allow full economic use of the Premises used by Non-Signatory Airline consistent with the terms of these Regulations, arising from the presence upon, or beneath the Premises used by Non-Signatory Airline, or other properties adjacent thereto subject to the jurisdiction of County, of a Hazardous Material or by failure to comply with Environmental Requirements, which were caused by County, its agents, employees, airlines (except Non-Signatory Airline), predecessors in interest, contractors, invitees, successors, and assigns, except to the extent caused by Non-Signatory Airline, and/or its directors, officers, shareholders, employees, agents, contractors, subcontractors, experts, licensees and invitees. This obligation to remediate shall include the offsite migration

of Hazardous Materials onto the Premises used by Non-Signatory Airline regardless of the cause, unless caused by Non-Signatory Airline. County, in its performance of the above-described obligations, shall not disrupt Non-Signatory Airline's operations.

- (2) To the extent caused by Non-Signatory Airline and/or its directors, officers, shareholders, employees, agents, contractors, subcontractors, experts, licensees and invites, Non-Signatory Airline shall at its sole cost and expense, promptly take all actions required by any Federal, State, or local governmental agency or political subdivision or actions necessary to mitigate Environmental Damages or to allow full economic use of the Premises used by Non-Signatory Airline or other areas within the Airport or adjacent thereto consistent with the terms of these Regulations, arising from the presence upon, or beneath the Premises used by Non-Signatory Airline, of a Hazardous Material or by failure to comply with Environmental Requirements, and Non-Signatory Airline shall promptly pay any fines, forfeiture or penalties occasioned thereby. This obligation to remediate shall include the offsite migration of Hazardous Materials onto other areas within the Airport or that are otherwise subject to the jurisdiction of County, which are caused by Non-Signatory Airline.

- (3) Such actions shall include, but not be limited to, the investigation of the environmental condition of the Premises used by Non-Signatory Airline and any such adjacent properties subject to the jurisdiction of County, the preparation of any feasibility studies, reports or remedial plans, and the performance of any cleanup,

remediation, containment, monitoring or restoration work, whether on or off, said properties. County or Non-Signatory Airline, as the case may be, shall take all actions necessary to restore the Premises used by Non-Signatory Airline to the condition existing prior to the introduction of Hazardous Material upon, or beneath the Premises used by Non-Signatory Airline or such adjacent properties subject to the jurisdiction of County, notwithstanding any lesser standard or remediation allowable under applicable law or governmental practice or policies.

(E) Non-Signatory Airline's Obligations and Requirements

- (1) Non-Signatory Airline hereby agrees and intends that it will likewise comply with and be bound to County by the same obligations and requirements by which County is bound to Non-Signatory Airline as described in Paragraphs 309 (A) through (D) as if fully set forth herein. It is the intention of County and Non-Signatory Airline to impose reciprocal duties, obligations, responsibility and requirements upon each other and accept same regarding financial and legal responsibility for Hazardous Materials, Environment Impairment and Damage except as otherwise provided herein.
  
- (2) Ninety (90) days prior to the termination of these Regulations for any reason, whether by Lapse of Time or otherwise, Non-Signatory Airline shall, at its sole cost and expense, provide a Phase I and/or Phase II (if required by County), Environmental Site Assessment (ESA) or its equivalent performed by a mutually agreed upon and acceptable consultant. In the event said ESA indicates a condition that is violative of any of the terms, conditions

or covenants of this paragraph, Non-Signatory Airline shall have the Obligation to Remediate as further described herein.

(F) Notification

If either Non-Signatory Airline or County shall become aware of or receive notice or other communication concerning any actual, alleged, suspected or threatened violation of Environmental Requirements, or liability of County or Non-Signatory Airline for Environmental Damages in connection with the Premises used by Non-Signatory Airline or adjacent properties, or past or present activities of any person thereon, including, but not limited to, notice or other communication concerning any actual or threatened investigation, inquiry, lawsuit, claim, citation, directive, summons, proceeding, complaint, notice, order, writ, or injunction relating to same, then County or Non-Signatory Airline shall deliver to the other party, within thirty (30) days of the receipt of such notice or communication, written notice of said violation, liability, or actual or threatened event or condition, together with copies of any documents evidencing same. Receipt of such notice shall not be deemed to create any obligation on the part of either party to defend or otherwise respond to any such notification.

(G) Non-Signatory Airline shall submit a list of chemical substances used by Non-Signatory Airline on the Premises used by Non-Signatory Airline and supply a Hazard Communication Standard 29 CFR 1910.1200 Material Safety Data Sheet on each chemical substance to the Airport Fire Department upon request.

**ARTICLE IV: PREMISES**

**Section 401 General**

The County intends to maximize the utilization and flexibility of current Airport facilities to meet changing air service demands.

**Section 402 Airline Premises**

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**Section 403 Preferential Use Gates**

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**Section 404 Passenger Loading Bridges and Holdroom Equipment**

(A) Non-Signatory Airline shall have the right to use the County-owned passenger loading bridges and holdroom equipment at the gate used by the Non-Signatory Airline. Non-Signatory Airlines shall enter into a passenger loading bridge use permit prior to operating County-owned loading bridges.

**Section 405 Accommodation in Preferential Use Gates**

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**Section 406 Procedures for Accommodation in Preferential Use Gates**

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**Section 407 Consolidation of Operation**

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**Section 408      Relinquishment of Abandoned Premises**

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**Section 409      Relocation of Airline Premises**

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**Section 410      Parking Space**

Vehicular parking spaces, adequate and reasonably convenient to the Public Terminal Building, shall be made available by County in accordance with the Airport Parking Information and Rules at locations selected and designated by the Airport Director, where it will not interfere with operations at the Airport, for the use of Non-Signatory Airline and its employees in common with other air carrier or air transportation companies having leases similar to these Regulations. County reserves the right to make a charge to Non-Signatory Airline for such parking privileges. County agrees that charges will only be levied during such periods that all airport terminal tenants and concessionaires are charged for employee parking.

**ARTICLE V: RENTS, FEES AND CHARGES**

In consideration for the rights and privileges available to a Non-Signatory Airline, Non-Signatory Airline shall pay all applicable rents, fees and charges.

**Section 501 Terminal Building Rents**

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**Section 502 Landing Fee Charges**

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**Section 503 Passenger Loading Bridge Charges**

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**Section 504 Aircraft Parking Apron Fees**

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**Section 505 O&M Charges for Joint Use Facilities**

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**Section 506 Fees and Charges for Parking of Aircraft and Use of Other Facilities of County**

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**Section 507      Other Fees and Charges**

Non-Signatory Airline shall pay all other charges which are assessed by County for the use of other Airport facilities or for services that may be provided by County to Non-Signatory Airline from time to time, including employee parking (as described in Section 410) and issuance of security identification badges.

**Section 508      Security Deposit**

(A) **Amount and Form of Security Deposit.** As security for payment of the fees, rates and charges described herein, each Non-Signatory Airline, new entrant carrier or air transportation company shall provide a deposit in the form of a check to be negotiated or an irrevocable letter of credit prior to said carrier or air transportation company commencing service at the Airport. Said security deposit is to be in an amount equal to three (3) months of the new entrant's projected activity covering applicable fees, rates and charges due for items (a), (b), (c), and (d) below. Said security deposit shall be deposited in the account of the Airport and returned to air carrier or air transportation company without interest after submission of evidence satisfactory to the Airport Director that all fees, rates and charges have been paid in full upon termination of the above referenced service or upon timely payment of County invoices for two (2) years.

- a) Exclusive Use Premises
- b) Preferential Use Premises
- c) Joint Use Premises
- d) Landing fees

- (B) **Term of Security Deposit.** Airline shall maintain the Security Deposit until the cessation of service to Airport by Airline or (b) the completion of the two-year period established in Subsection (A) if Airline continues to serve the Airport. Airline shall provide at least sixty (60) days prior notice of the date on which any Security Deposit expires or is subject to cancellation.
- (C) **County's Right to Use Security Deposit; Replenishment.** If Airline commits or is under an Event of Default pursuant to Section 1101, the County shall have the right to use the amounts of such Security Deposit to pay Airline's Rents, Fees, and Charges, PFC remittances, or any other amounts owed to the County by Airline then due and payable, or to apply the proceeds to any cost or expense or material damages incurred by the County as a result of Airline's default, or Event of Default under Section 1101. If any such Security Deposit, or portion thereof, is used as stated in this Subsection, Airline shall replenish or provide a renewal or replacement Security Deposit up to the full amount set forth in Subsection 508(A) within 10 days of being notified to do so by the County. The County's rights under this Section shall be in addition to all other rights and remedies provided to the County hereunder.
- (D) **Waiver of Security Deposit Requirement.** Notwithstanding the provisions of Subsections 508(A)-(C), the County may waive the Security Deposit obligation if it determines that Airline qualifies for relief from such obligation. To qualify for such relief, Airline must:
- (i) not be under an event of Default pursuant to Section 1101, and not have received Notice in accordance with Section 1101 of such Event of Default;

- (ii) have provided regularly scheduled service to the Airport during the prior 24 consecutive months; and
- (iii) have made timely payments of all applicable Rents, Fees, and Charges during such 24 month period.

If, after having waived the Security Deposit obligation in accordance with this subsection, the County determines that Airline has not continued to satisfy the requirements for relief, or if Airline commits or is under an Event of Default pursuant to Section 1101, has received Notice in accordance with Section 1101 of such Event of Default and has failed to cure such Event of Default, Airline shall immediately provide a Security Deposit in accordance with the provisions of Subsection 508(A). The provisions of this Subsection shall be inapplicable during any holdover period as described in Section 203.

**Section 509      Statistical Report**

- (A) Airline shall complete and submit to the County no later than the 10<sup>th</sup> day of each month, a Monthly Operator's Report and a Monthly Report of Actual Aircraft Landings attached hereto as Exhibits H and I, summarizing statistics and information for Airline's prior month of operations at the Airport necessary for the computation of Rents, Fees, and Charges established hereunder, and such other statistical and financial data that the County determines is necessary for the computation and administration of Airline's financial obligations hereunder, including the following data:

- (i) total number of flight departures at each gate assigned to Airline;
- (ii) total number of originating and connecting passengers;
- (iii) total number of domestic enplaned and deplaned passengers;
- (iv) total number of international enplaned and deplaned passengers;
- (v) total number of landings by type of aircraft and Maximum Gross Certificated Landed Weight by type of aircraft;
- (vi) total pounds of air cargo enplaned and deplaned;
- (vii) total pounds of air mail enplaned and deplaned; and
- (viii) total amount of food and beverage purchased to be sold, if any, in accordance with the provisions of Subsection 301(Q).

The information submitted by Airline to County pursuant to this Subsection shall be in addition to any other information required elsewhere in these regulations.

- (B) The County shall have the right to rely on said activity reports in determining Rents, Fees, and Charges due hereunder. Airline shall have full responsibility for the accuracy of said reports. Late payment and payment deficiencies due to incomplete or inaccurate activity reports shall be subject to the late payment and late penalty charges as set forth in Subsection 511(E).
- (C) The acceptance by the County of any Airline payment shall not preclude the County from verifying the accuracy of Airline's reports or computations, or from recovering any additional payment actually due from Airline. Interest on any additional amount due shall accrue from the date the payment was originally due, at the rate prescribed as calculated in Subsection 511(E).

(D) Penalty for Late Report. In the event that Airline fails to deliver the required statistical report on time, Airline shall incur and pay a service fee of ONE HUNDRED DOLLARS PER DAY beginning with the day after the due date.

**Section 510      Non-Signatory Airline Records and Audit**

(A) Airline shall maintain books, records, and accounts, including computerized records, relevant to the determination and payment of any Rents, Fees, and Charges, PFC remittals, and other payments due to the County in accordance with these regulations including: records of its aircraft arrivals and departures; gate utilization; originating and connecting, enplaned and deplaned, domestic and international passengers; aircraft landings; enplaned and deplaned air cargo and mail; food and beverage purchased for resale; and sublease and subcontracted services arrangements at the Airport. Each such item of information shall be maintained for a period of at least four (4) years, and longer if necessary for pending litigation. Airline may maintain such books, records and accounts at its corporate offices, but shall make such material available at the Airport upon fifteen (15) days notice. Notwithstanding anything to the contrary contained herein, nothing herein is intended to require, or shall have the effect of requiring, Airline to maintain or allow inspection of any books and records pertaining to PFCs other than those required by applicable all laws and regulations.

(B) The County and such persons as may be designated by it, including its auditors and financial consultants, shall have the right, during normal business hours, with ten (10) days notice to Airline, to examine, audit, and make copies of such books,

records, and accounts, including computerized records. Except as otherwise provided, the cost of such examination or audit shall be borne by the County; provided, however, that the cost of such audit shall be reimbursed to the County by Airline if: (i) the audit reveals an underpayment by Airline of at least 5% for Rents, Fees and Charges, PFC remittance, or other payment payable by Airline hereunder for any Calendar Year, as determined by such audit, or (ii) Airline has failed to maintain accurate and complete books, records, and accounts in accordance with this Section.

- (C) If Airline fails to maintain true and complete books, records, and accounts resulting in an underpayment of Rents, Fees, and Charges by Airline to the County, the County may recalculate the total amount of Rents, Fees, and Charges, PFC remittances, or other payments due to the County by Airline in accordance with these regulations. In such case Airline shall remit to the County within 15 days of receipt of a demand or invoice from the County the delinquent amount plus interest, fees and charges as provided for in Subsection 511(E).

#### **Section 511 Payment Provisions**

- (A) **Terminal Building Rents and Passenger Loading Bridge Charges.** Terminal Building rents for the use of the Premises used by Non-Signatory Airline, including Passenger Loading Bridge Charges shall be due and payable on the first day of each month in advance without invoice from the County.
- (B) **Landing Fees.** Landing fees for the preceding month shall be due and payable 20 days after the date of invoice.
- (C) **Other Fees.** All other Rents, Fees, and Charges required

hereunder shall be due and payable within 20 days of the date of the invoice.

- (D) **Form of Payment.** Airline shall pay all sums due hereunder in lawful money of the United States of America, without deduction or setoff, by wire transfer or check made payable to the Milwaukee County Airport Division, which check shall be delivered postage or other charges prepaid to:

By U.S. Mail: Milwaukee County Airport Division  
P.O. Box 78979  
Milwaukee, WI 53278-0979

By Express Mail: Milwaukee County Airport Division  
5300 South Howell Avenue  
Milwaukee, WI 53207-6189

By Wire Transfer: Routing Number: 075000022  
Bank Name: U.S. Bank Milwaukee  
Account Title: GMIA Operations

or as hereafter the County may designate by Notice to Airline.

- (E) **Interest Charges and Late Charges on Overdue Payment**

(i) Interest. Unless waived by the County Board, air carriers and air transportation companies shall be responsible for payment of interest on amounts not remitted in accordance with the requirements of this section. The rate of interest shall be the statutory rate in effect for delinquent county property taxes (presently one (1) percent per month or fraction of a month) as described in s. 74.80(1), Wis. Stats. The obligation or payment and calculation thereof shall commence upon the day following the due dates established herein.

(ii) Penalty. In addition to the interest described above, air carriers and air transportation companies shall be

responsible for payment of penalty on amounts not remitted in accordance with the terms of this section. Said penalty shall be the statutory rate in effect for delinquent county property taxes (presently five-tenths (0.5) percent per month or fraction of a month) as described in section 6.06(1) of the Code and s. 74.80(2), Wis. Stats. The obligation for payment and calculation thereof shall commence upon the day following the due dates established herein.

- (F) **Dishonored Check or Draft.** In the event that Airline delivers a dishonored check or draft to County in payment of any obligation arising under the terms of these regulations, Airline shall incur and pay a service fee of: ONE HUNDRED TWENTY-FIVE DOLLARS, if the face value of the dishonored check or draft is \$50.00 or less; ONE HUNDRED THIRTY DOLLARS, if the face value of the dishonored check or draft is more than \$50.00 and less than \$300.00; or ONE HUNDRED FORTY DOLLARS, if the face value of the dishonored check or draft is \$300.00 or more; or Five Percent of the face value of such dishonored check or draft, whichever is greater. Further, in such event, County may require that future payments required pursuant to these regulations be made by cashier's check or other means acceptable to County.

**Section 512      No Other Rents, Fees, and Charges**

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**Section 513      Security Interests**

- (A) All PFCs collected by Airline for the benefit of the County that are in the possession or control of Airline are to be held in

trust by Airline on behalf and for the benefit of the County. To the extent that Airline holds any property interest in such PFCs, and notwithstanding that Airline may have commingled such PFCs with other funds, Airline hereby pledges to the County and grants the County a first priority security interest in such PFCs, and in any and all accounts into which such PFCs are deposited to the extent of the total amount of such PFCs (net of the airline compensation amounts allowable in accordance with 14 C.F.R. §158.53) held in such accounts.

- (B) As a guarantee by Airline for the payment of all Rents, Fees, and Charges, and all PFC remittances due to the County, Airline hereby pledges to the County and grants the County a security interest in all of its leasehold improvements and fixtures located on or used by Airline at the Airport.

**Section 514 Sponsoring Airline as Guarantor of Its Affiliates**

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**Section 515 Commitment of Airport Revenues**

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**Section 516 County's Accounting**

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**Section 517 Capital Improvement Reserve Account**

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**Section 518 Airport Development Fund (ADF)**

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**Section 519      Special Project Capital Improvement Account (SPCIA)**

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**ARTICLE VI: CALCULATION OF RENTALS, FEES AND CHARGES**

**Section 601 General**

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**Section 602 Coordination Process**

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**Section 603 Terminal Rental Rates**

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**Section 604 Passenger Loading Bridge Charges**

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**Section 605 Landing Fee Rate**

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**Section 606 International Arrivals Building Facilities Charges**

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**Section 607 Aircraft Parking Apron Fees**

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**Section 608 Other Charges**

Other charges payable by Non-Signatory Airline, in addition to

those specified elsewhere in these Regulations, shall be as follows:

- (A) Employee Parking Charges. Should Non-Signatory Airline elect to furnish parking for its employees, Non-Signatory Airline shall pay to County in advance by the first day of each December charges as are established by the County for the use of employee parking areas designated in Section 410 herein. County will refund to Non-Signatory Airline the prorated annual parking charge for parking spaces no longer used by Non-Signatory Airline employees.
  
- (B) Miscellaneous. Charges for miscellaneous items or activities not specified herein (e.g. badges, extraordinary electrical usage, personal property storage, etc.) shall be assessed by County as determined by Airport Director and paid by Non-Signatory Airline.

**Section 609      Rate Adjustment**

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**Section 610      Year-End Adjustment to Actual and Settlement**

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**Section 611      Non-Signatory Rates**

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**ARTICLE VII: AIRPORT IMPROVEMENTS**

**Section 701 Airport Expansion**

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**Section 702 Five-Year Capital Improvement Program**

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**Section 703 Review and Approval of Material Changes to Five-Year CIP**

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**Section 704 Additional Approved Capital Improvements**

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**Section 705 Capital Improvement Review and Approval Process**

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**Section 706 Major Maintenance Projects - Expensed**

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**Section 707 Passenger Loading Bridge Program**

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Section 708 Expenditures for Planning and Preliminary Design

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Section 709 Effect of Construction on Premises used by Non-Signatory Airline

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Section 710 Use of Capital Improvement Reserve Account (CIRA)

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Section 711 Alterations and Improvements by Signatory Airline

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Section 712 Nondisturbance of Airport Tenants and Operations

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**ARTICLE VIII: MAINTENANCE AND OPERATION OF AIRPORT**

**Section 801 General**

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**ARTICLE IX: DAMAGE OR DESTRUCTION**

**Section 901 Partial Damage**

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**Section 902 Substantial Damage**

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**Section 903 Damage Not Repairable**

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**Section 904 General**

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**ARTICLE X: INDEMNIFICATION AND INSURANCE**

**Section 1001 Indemnification**

(A) Non-Signatory Airline covenants and agrees to FULLY INDEMNIFY and HOLD HARMLESS, the County and the elected officials, employees, directors, volunteers and representatives of the County, individually or collectively, from and against any and all costs, claims, liens, damages, losses, expenses, fees, fines, penalties, proceedings, actions demands, causes of actions, liability and suits of any kind and nature, including but not limited to, personal or bodily injury, death and property damage, made upon the County to the extent directly or indirectly arising out of resulting from or related to Non-Signatory Airline's activities in, on or about Non-Signatory Airline Premises, or from any operation or activity of Non-Signatory Airline upon the Airport Premises, or in connection with its use of Airline Premises, including any acts or omissions of Non-Signatory Airline, any agent, officer, director, representative, employee, consultant or subcontractor of Non-Signatory Airline, and their respective officers, agents, employees, directors and representatives while in the exercise of performance of the rights or duties under these Regulations, all without however, the County waiving any governmental immunity or other rights available to the County under Wisconsin Law and without waiving any defenses of the parties under Wisconsin Law. The provisions of this INDEMNITY are solely for the benefit of the Non-Signatory Airline and Milwaukee County and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. Non-Signatory Airline shall promptly advise the County in writing of any claim or demand against the County or Non-Signatory Airline known to Non-

Signatory Airline related to or arising out of Non-Signatory Airline's activities under these Regulations and shall see to the investigation and defense of such claim or demand at Non-Signatory Airline's cost. The County shall have the right, at its option and at its own expense, to participate in such defense without relieving Non-Signatory Airline of any of its obligations under this paragraph.

- (B) It is the express intent of the parties to these Regulations, that the indemnity provided for in this Article is an indemnity extended by Non-Signatory Airline to indemnify, protect, and hold harmless, the County from the consequences of the County's own negligence, provided however, that the indemnity provided for in this section shall apply only when the negligent act of the County is a contributory cause of the resulting injury, death, or damage, and shall have no application when the negligent act of the County is the sole cause of the resulting injury, death or damage. Non-Signatory Airline further agrees to defend, at its own expense and on behalf of the County and in the name of the County, any claim or litigation brought against the County and its elected officials, employees, officers, directors, volunteers, and representatives, in connection with any such injury, death, or damage for which this indemnity shall apply, as set forth above.

**Section 1002    Insurance**

- (A) Without limiting the Non-Signatory Airline's obligation to indemnify the County of Milwaukee, and prior to the commencement of any operations, under these Regulations, Non-Signatory Airline shall furnish an original or electronic copy of Certificate(s) of Insurance to the Airport, which shall be

completed by a broker or an agent authorized to bind the named underwriter(s) and their company to the coverage, limits, and termination provisions shown thereon, and which shall furnish and contain all required information referenced or indicated thereon. The original certificate(s) or electronic copy of the form(s) must have the agent's signature, including the signer's company affiliation, title and phone number, and be mailed directly from the agent to the Airport. The Airport shall have no duty to perform under these Regulations until such certificate shall have been delivered to the Airport, and no officer or employee other than the Risk Manager shall have authority to waive this requirement.

- (B) The Airport reserves the right to review the insurance requirements of this section during the effective period of these Regulations and any extension or renewal hereof, and to modify insurance coverage and their limits when deemed necessary and prudent by the County's Risk Manager based upon changes in statutory law, court decisions, or circumstances surrounding these Regulations, but in no instance will the County allow modification whereupon the Airport may incur increased risk.
  
- (C) Non-Signatory Airline's financial integrity is of interest to the County, therefore, subject to Non-Signatory Airline's right to maintain deductibles in such amounts as are approved by the County, Non-Signatory Airline shall obtain and maintain in full force and effect for the duration of these Regulations and any extension thereof, at Non-Signatory Airline's sole expense, insurance coverage written on occurrence basis, by companies authorized and admitted to do business in and to be served notice in the State of Wisconsin and rated A or better by A.M. Best Company and/or otherwise acceptable to Lesser, in the

following types.

TYPE OF INSURANCE

LIMITS OF LIABILITY

Comprehensive Airline Liability Insurance, Including Premises Liability and Aircraft Liability, in respect of all aircraft owned, used, operated or maintained by Named Insured \$100,000,000 each accident

Commercial General Liability insurance to include coverage for the following:

- General Aggregate \$10,000,000 per occurrence; \$25,000,000 general aggregate or its equivalent in Umbrella or Excess Liability coverage.
  - (A) Premise/Operations \$10,000,000
  - (B) Pollution Liability \$5,000,000/occurrence/annual aggregate  
\$500,000/self-insurance retention
  - (C) Products/Completed Operations \$10,000,000
  - (D) Contractual Liability \$10,000,000
  - (E) Explosion, Collapse. Underground \$10,000,000
  - (F) Fire legal liability \$50,000
- Business Automobile Liability (airside and landside) Combined Single Limit for Bodily Injury and Property Damage of \$5,000,000
  - Scheduled Autos
  - Owned/Leased Automobiles
  - Non-owned Automobiles
  - Hired Automobiles
- Worker's Compensation Statutory
- Employer's Liability \$1,000,000 / \$1,000,000 / \$1,000,000
- Property Insurance Value of Airline Property on

premises, to include  
improvements and  
betterments.

(D) The Airport shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto as they apply to the limits required by the Airport, and may make a request for deletion, revision, or modification of particular policy terms, conditions, limitations or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any such policies). Upon such request by Airport, the Non-Signatory Airline shall exercise efforts to accomplish such changes in policy, and shall pay the cost thereof.

(E) Non-Signatory Airline agrees that with respect to the above required insurance, all insurance contracts and Certificate(s) of Insurance will contain the following required provisions:

- Name the County of Milwaukee and its officers, employees, agents and elected representatives as additional insured's as respects operations and activities of, or on behalf of the named insured performed under contract with the Airport, with the exception of the worker's compensation and property insurance policy;
- The Non-Signatory Airline's insurance shall be deemed primary with respect to any collectible insurance or self insurance carried by the County of Milwaukee for liability arising out of Non-Signatory Airline's operations under the contract with the Airport;

- Worker's compensation and employers' liability policy will provide a waiver of subrogation in favor of the County of Milwaukee; and
- Provide for provision stating that the Non-Signatory Airline's insurance is primary without right of contribution from any insurance maintained by Airport and/or County of Milwaukee arising out of operations of Non-Signatory Airline.

(F) Non-Signatory Airline shall notify the Airport in the event of any notice of cancellation, non-renewal or material change in coverage and shall give such notices not less than thirty (30) days prior to the change, or ten (10) days notice for cancellation due to non-payment of premiums, which notice must be accompanied by a replacement Certificate of Insurance. All notices shall be given to the Airport at the following addresses:

---

Airport Property Manager  
General Mitchell International Airport  
5300 S. Howell  
Milwaukee, WI 53207-6189

- (G) The proceeds for any such insurance, paid on account of fire, explosion or other damage shall be used to defray the cost of repairing, restoring or reconstructing said improvements, as necessary.
- (H) It is expressly understood and agreed that all operations of Non-Signatory Airline under these Regulations between Airport and Non-Signatory Airline shall be covered by such policies of insurance or self insurance as approved by the County's Risk

Manager and that all personal property placed in the Premises used by Non-Signatory Airline shall be at the sole risk of Non-Signatory Airline. The procuring of policies of insurance shall not be construed to be a limitation upon Non-Signatory Airline's liability or as a full performance on its part of the indemnification provisions of these Regulations. Non-Signatory Airline's obligations are notwithstanding said policy of insurance, for the full and total amount of any damage, injury or loss caused by or attributable to its activities conducted at or upon the Airport.

- (I) County shall insure or cause to be insured with a responsible insurance company, companies, or carriers authorized and qualified under the laws of the State of Wisconsin to assume the risk thereof, to the extent insurable, all of County's buildings, structures, fixtures and fixed equipment on the Airport System against direct physical damage or loss from fire and against the hazards and risks covered under extended coverage in an amount of the insurable value of the property. Provided, however, that County may self-insure the policy deductible, and if it shall do so, and if there shall be a physical damage or loss from fire or hazards or risks of less than the deductible, the said loss shall become part of the residual cost for the year of said loss and charged against the appropriate Cost Center; provided further that if at any time County shall be unable to obtain insurance coverage to the extent above required, County shall maintain such insurance to the extent obtainable.

**ARTICLE XI: CANCELLATION BY COUNTY: EVENTS OF DEFAULT BY NON-SIGNATORY AIRLINE**

**Section 1101 Events of Default by Non-Signatory Airline**

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**Section 1102 Remedies for Non-Signatory Airline's Default**

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**Section 1103 Effect of Non-Signatory Airline's Default or Breach on Other Agreements**

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**ARTICLE XII: CANCELLATION BY NON-SIGNATORY AIRLINE: EVENTS OF  
DEFAULT BY COUNTY**

**Section 1201 Events of Default by County**

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**Section 1202 Remedies for County's Defaults**

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**ARTICLE XIII: SURRENDER OF AIRLINE PREMISES**

**Section 1301 Surrender and Delivery**

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**Section 1302 Removal of Property**

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ARTICLE XIV: ASSIGNMENT, SUBLETTING AND USE FEES

Section 1401 Assignment and Subletting by Affiliate Airline

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ARTICLE XV: ACCESS

Section 1501 Declaration of Intent

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Section 1502 County-Controlled Facilities

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Section 1503 Emergency Accommodation

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**ARTICLE XVI: SUBORDINATION AND SAVINGS CLAUSE**

**Section 1601 Subordination**

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**ARTICLE XVII: GOVERNMENT INCLUSION**

**Section 1701 Federal and Other Governmental Authority Funds**

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**Section 1702 Nondiscrimination**

Each air carrier and air transportation company operating at the Airport shall conduct its operation, maintenance, improvement and use of the property and facilities at the airport so that no person, on the grounds of race, color or national origin, shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities; that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person, on the grounds of race, color or national origin, shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination. Each air carrier and air transportation company shall use the premises in compliance with all other requirements imposed by or pursuant to title 49, Code of Federal Regulations, department of transportation, subtitle A, office of the secretary, part 21,

nondiscrimination in federally assisted programs of the department of transportation - effectuation of title VI of the Civil Rights Act of 1964, and as said regulations may be amended and all Milwaukee County rules and regulations, policies, procedures and ordinances in effect or as they may be amended from time to time.

**ARTICLE XVIII: MISCELLANEOUS PROVISIONS**

**Section 1801 Rights Non-Exclusive**

Notwithstanding anything herein contained that may be or appear to the contrary, the rights, privileges and licenses granted under these Regulations (except in the Exclusive Use Premises) are "non-exclusive" and County reserves the right to grant similar privileges to other Scheduled Air Carriers, except to the extent that the granting of such similar privileges shall substantially interfere with Non-Signatory Airline's rights, privileges and licenses granted hereunder.

**Section 1802 Aviation**

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**Section 1803 Height Limitations**

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**Section 1804 Amendment**

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**Section 1805     Non-waiver of Rights**

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**Section 1806     Severability**

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**Section 1807     Governing Law**

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**Section 1808     Compliance with Law**

Non-Signatory Airline agrees to observe and comply with all applicable current and future Federal, State, County, and municipal laws, statutes, ordinances, and regulations, including such ordinances, resolutions, and rules and regulations as County may from time to time promulgate, amend or adopt relative to the use of any property owned by County, including the premises that are the subject of these Regulations; provided, however, that Non-Signatory Airline may, at its own risk, costs, and expense and at no cost to County, contest by appropriate judicial or administrative proceedings the applicability or the legal or constitutional validity of such law, statute, ordinance, resolution, rule or regulation.

**Section 1809     Agent for Service of Process**

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**Section 1810     Non-liability of Agents and Employees**

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**Section 1811     Independent Contractor**

Non-Signatory Airline, its employers, and agents shall, at all times under this Agreement act and perform as independent contractors. Nothing contained herein shall be deemed or construed by the parties hereto, or by any third party, as creating the relationship of principal and agent, partners, joint venturers, or any other similar such relationship, between the parties hereto. It is understood and agreed that neither the method of computation of rentals, fees and charges, nor any other provisions contained herein, nor any acts of the parties hereto, creates a relationship other than the relationship of County and Non-Signatory Airline.

**Section 1812     Successors and Assigns Bounds**

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**Section 1813     Other Agreements**

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**Section 1814     Taxes, Assessments, and Licenses**

Non-Signatory Airline shall at its own expense obtain all permits, licenses, approvals and certificates and pay all taxes, assessments, fees and charges required by any regulation or any law of the County, State of Wisconsin, the United States or other governmental body with

regard to the business to be conducted by Non-Signatory Airline on the Airport or within its Non-Signatory Airline Premises pursuant to the terms of this Agreement.

**Section 1815     Approval by County**

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**Section 1816     Conformity**

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**Section 1817     Compliance by Other Tenants**

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**Section 1818     Quiet Enjoyment**

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**Section 1819     County's Right of Entry**

Any authorized representative of the County shall have the right to enter upon any premises and facilities of the Airport at any time for the purpose of inspection or for any purpose incident to the performance of its obligations hereunder or in the exercise of any of its governmental functions. County will use its best efforts to give advance notice and to avoid disruption of Non-Signatory Airline's operation.

**Section 1820     Force Majeure**

**Section 1821**    **Gender**

Words of any gender used in these Regulations shall be held and construed to include any other gender and words in the singular number shall be held to include the plural, unless the context otherwise requires.

**Section 1822**    **Headings and Titles**

The headings of the several articles of these Regulations are inserted only as a matter of convenience and for reference and in no way define, limit, or describe the scope or intent of any provisions of these Regulations and shall not be construed to affect in any manner the terms and provisions hereof or the interpretation or construction thereof.

**Section 1823**    **Incorporation of Exhibits**

All exhibits referred to in these Regulations are intended to be and hereby are specifically made a part of these Regulations.

**Section 1824**    **Notices**

Notices required herein shall be given by registered or certified mail by depositing the same in the United States mail, postage prepaid or by hand delivery. Any such notice so mailed shall be presumed to have been received by the addressee seventy-two (72) hours after deposit of same in the mail. Either party shall have the right, by giving written notice to the other, to change the address at which its notices are to be received. Until any such change is

made, notices to County shall be delivered as follows:

Airport Director  
General Mitchell International  
Airport  
5300 South Howell Ave.  
Milwaukee, WI 53207-6189

Notices to

Section 1825 Capacity to Execute

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**Section 1826     Entire Agreement**

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**Section 1827     Governmental Facilities**

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**Section 1828     Rules and Regulations**

County shall have the right to and shall adopt and amend from time to time and enforce rules and regulations of general application, which Non-Signatory Airline agrees to observe and obey, with respect to Non-Signatory Airline's use of the Airport and its facilities, provided that such rules and regulations shall not be inconsistent with safety and with rules, regulations, and orders of the Federal Aviation Administration and other applicable governmental agencies and with the procedures prescribed or approved from time to time by the Federal Aviation Administration or other applicable governmental agencies with respect to the operation of Non-Signatory Airline's aircraft.

**Section 1829     Rights and Privileges Reserved by County**

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**Section 1831     Successors and Assigns Bound by Covenants**

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**Section 1832 Non-Signatory Airline's Election Not to Claim  
Depreciation or Investment Credit**

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1  
2  
3  
4 (ITEM NO. 7) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to amend the agreement between Milwaukee County and  
6 signatory airlines by incorporating language to permit affiliate airlines of the signatory  
7 airlines the use of the hydrant fuel system at General Mitchell International Airport (GMIA),  
8 by recommending adoption of the following:

9  
10 **A RESOLUTION**

11  
12 WHEREAS, a hydrant fuel system lease agreement that allows delivery of aviation  
13 fuel through a high-pressure underground fuel line to passenger airline aircraft commenced  
14 on December 1, 1986; and

15  
16 WHEREAS, the agreement has a term of twenty-five (25) years and expires on  
17 November 30, 2011; and

18  
19 WHEREAS, parties to the hydrant fuel system lease agreement were also required to  
20 be parties to a master signatory airline lease that established the fees, rates, and charges for  
21 their use of the Airport; and

22  
23 WHEREAS, the original master signatory airline leases did not allow the signatory  
24 airlines to enter into an affiliate relationship with another airline to serve the signatory  
25 airlines' needs; and

26  
27 WHEREAS, it was necessary that affiliate airlines had to enter into a signatory airline  
28 lease agreement for a gate in order to receive signatory hydrant fuel rates; and

29  
30 WHEREAS, Airport staff and the airlines have been negotiating a new Airline-Airport  
31 Use and Lease Agreement that permits an airline to designate affiliate airlines to operate on  
32 behalf of the signatory airline; and

33  
34 WHEREAS, by being so designated as an affiliate of a Master Lease signatory airline,  
35 the affiliate(s) will become entitled to their sponsoring airline's favorable signatory lease  
36 rates; and

37  
38 WHEREAS, with the original master signatory airline lease set to expire on  
39 September 30, 2010, the signatory airlines have collectively requested that hydrant fuel  
40 system lease agreements be amended to allow for participation by affiliates during the final  
41 fourteen months of the hydrant fuel system lease agreement without being signatory to the  
42 new Airline-Airport Use and Lease Agreement; and

43  
44 WHEREAS, in order for Milwaukee County to amend the airlines' request for  
45 affiliate language in the hydrant fuel system lease agreement, Airport staff recommends that

46 Milwaukee County amend the agreements between Milwaukee County and the  
47 participating air carriers, effective October 1, 2010, to incorporate affiliate airline language  
48 to permit an affiliate airline's use of the hydrant fuel system under the favorable rates of a  
49 signatory airline; and

50

51 WHEREAS, the Transportation, Public Works and Transit Committee, at its meeting  
52 of September 15, 2010, recommended that Milwaukee County approve amending the  
53 agreement between Milwaukee County and the participating airlines to incorporate  
54 language in the agreement to permit affiliate airlines of the signatory airlines the use of the  
55 hydrant fuel system at General Mitchell International Airport (GMIA) (vote 6-0); now,  
56 therefore,

57

58 BE IT RESOLVED, that the Director of Transportation and Public Works and the  
59 Airport Director are hereby authorized to approve amending the agreement between  
60 Milwaukee County and the signatory airlines to incorporate language in the agreement to  
61 permit affiliate airlines of the signatory airlines the use of the hydrant fuel system at General  
62 Mitchell International Airport (GMIA).

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**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** August 23, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** AMENDMENT TO AIRLINE HYDRANT FUEL SYSTEM LEASE AGREEMENTS TO ALLOW AFFILIATE AIRLINE USE

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0



1  
2  
3  
4 (ITEM NO. 8) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to enter into an agreement with Chris Bales for the lease of land  
6 on which a hangar is located at General Mitchell International Airport (GMIA) for a five-  
7 year term effective October 1, 2010, with one additional five-year renewal option, by  
8 recommending adoption of the following:  
9

10 **A RESOLUTION**

11  
12 WHEREAS, on January 17, 2001, Milwaukee County entered into Airport  
13 Agreement No. HP-1291 with Allan R. Westergard, later assigned to Chris Bales, for the  
14 lease of land on which to construct an aircraft hangar at General Mitchell International  
15 Airport (GMIA); and  
16

17 WHEREAS, the initial term of the agreement was for five (5) years beginning  
18 November 9, 1999, and ending September 1, 2005, with an option to renew for one (1)  
19 additional term of five (5) years; and  
20

21 WHEREAS, Chris Bales subsequently exercised the five-year renewal option on May  
22 25, 2005; and  
23

24 WHEREAS, HP-1291 will expire on September 30, 2010; and  
25

26 WHEREAS, Chris Bales is now requesting to enter into a new agreement for a term of  
27 five (5) years commencing October 1, 2010, and ending September 30, 2015, with one (1)  
28 additional five (5) year renewal option for the lease of the land on which the hangar is  
29 located; and  
30

31 WHEREAS, the Transportation, Public Works and Transit Committee, at its meeting on  
32 September 15, 2010, recommended that Milwaukee County approve the request by  
33 authorizing and directing the Director of Transportation and Public Works and the County  
34 Clerk to enter into a new agreement with Chris Bales for the lease of approximately 2,500  
35 square feet of land on which a hangar is located, under the standard terms and conditions for  
36 similar land lease agreements, inclusive of the following (vote 6-0); now, therefore,  
37

38 BE IT RESOLVED, that the Director of Transportation and Public Works and the  
39 County Clerk are hereby authorized and directed to enter into a new agreement with Chris  
40 Bales, for the lease of approximately 2,500 square feet of land on which a hangar is located,  
41 under the standard terms and conditions for similar land lease agreements, inclusive of the  
42 following:  
43

- 44 1. The term of agreement shall be for an initial term of five (5) years, effective October 1,  
45 2010, and ending September 30, 2015, with the Lessee having the right to renew the

46 agreement for one (1) additional term of five (5) years upon the same terms and  
47 conditions; provided that such option to renew shall be exercised by Lessee in writing to  
48 Lessor not less than sixty (60) days prior to the expiration of said lease or renewal thereof;  
49 and

50

51 2. Rental for the 2,500 square feet of land on which the hangar is located shall be at 30.33¢  
52 per square foot per annum, subject to adjustment each July 1 based on the increase or  
53 decrease in the Consumer Price Index (All Urban Consumers) for the Milwaukee area,  
54 which is computed by comparing the then-current January index with the index of the  
55 preceding January; and

56

57 3. The agreement shall contain the current standard insurance and environmental  
58 language for similar hangar land lease agreements.

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## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** August 23, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT: HANGAR LEASE AGREEMENT BETWEEN MILWAUKEE COUNTY AND CHRIS BALES**

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input checked="" type="checkbox"/> Increase Operating Revenues<br><input checked="" type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><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 2010	Subsequent Year
<b>Operating Budget</b>	Expenditure	\$758.25	0
	Revenue	\$758.25	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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.<sup>1</sup> 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 anticipated \$758.25 rental revenue will be used to offset Airport operating costs and/or reduce signatory airline fees. There will be no fiscal effect on the tax levy of Milwaukee County.**

Department/Prepared by: Steve Wright, A.A.E. - Airport Properties Manager

Authorized Signature

  
\_\_\_\_\_

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

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

1  
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3  
4 (ITEM NO. 9) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to submit a new Passenger Facility Charge (PFC) No. 16  
6 application to the Federal Aviation Administration (FAA), by recommending adoption of  
7 the following:

8  
9 **A RESOLUTION**

10  
11 WHEREAS, in 1994, Unison Consulting Group, Inc. (Unison) was retained to  
12 develop a long-range Airport Capital Improvement Plan (CIP) for the purpose of submitting  
13 Passenger Facility Charge (PFC) applications to the Federal Aviation Administration (FAA)  
14 on behalf of Milwaukee County (the County), and based on the original twenty (20) year  
15 CIP and the County's successful PFC Application #1, General Mitchell International Airport  
16 (GMIA) began assessing a \$3.00 PFC in 1995 for each passenger enplaning or making a  
17 first transfer at GMIA; and

18  
19 WHEREAS, in 2010, PFC revenues are anticipated to total between \$12 and \$13.5  
20 million at the \$3.00 per enplaned passenger rate; and

21  
22 WHEREAS, since GMIA's first PFC Application was approved, the Airport's CIP and  
23 PFC program have been updated on numerous occasions, adding new projects and/or  
24 adjusting previous projects; and

25  
26 WHEREAS, as recently as December 31, 2009, the FAA approved the addition of 15  
27 new PFC fundable projects (PFC #15) to the GMIA PFC program and increased PFC  
28 funding authorization by \$25,068,451; and

29  
30 WHEREAS, since the original PFC law was approved by Congress authorizing \$3.00  
31 per passenger, Congress has increased the collection authority to \$4.50, and this  
32 Application #16 keeps the PFC at \$3.00, and future Airport capital projects and  
33 applications may require an increase to the GMIA PFC; and

34  
35 WHEREAS, GMIA's most recent CIP update has led to the need to add 12 new  
36 projects to the PFC program as PFC Application #16 and an amendment to PFC #10.02 by  
37 \$5,440,000, increasing PFC total collections by \$76,920,000; and

38  
39 WHEREAS, the table below lists the projects and PFC funding recommended for  
40 submittal to the FAA for inclusion in the County's PFC program:

41

**General Mitchell International Airport**

<b>Proposed PFC 16 Projects</b>			
<b>PFC #</b>	<b>Title/Description</b>	<b>Project Cost</b>	
16.01	Noise Barrier Study (CIP #110A) (1)	\$188,000	
16.02	Ramp Electrification Design (CIP #111A & #112A) (1)	\$458,000	
16.03	Concourse E Ground Power & Preconditioned Air Units (CIP #113)	\$1,310,000	
16.04	Perimeter and ARFF Road Reconfiguration - Construction (CIP #235)	\$1,475,000	
16.05	Runways 1L-19R and 7R-25L Intersection Repaving - Construction (CIP #238)	\$6,000,000	
16.06	Perimeter Road Bridge Over Howell Ave. - Design (CIP #247A)	\$300,000	
16.07	Inline Baggage Security - Construction (Phase 2) (CIP #423B) (2)	\$55,631,000	
16.08	Gate D56 Improvements - Design and Construction (CIP #439B)	\$750,000	
16.09	Fleet Snow Replacement Equipment (CIP #501C)	\$4,047,000	
16.10	Redundant Main Electric Service Feed - Design (CIP #511A)	\$321,000	
16.11	Terminal Roadway Signage - Design (CIP #519B)	\$250,000	
16.12	PFC Administrative Costs (2011-2013) (CIP #802C)	\$750,000	
<b>PFC 16 Projects Totals</b>		<b>\$71,480,000</b>	

<b>Proposed Amended Project Requiring Consultation</b>			
<b>PFC #</b>	<b>Title/Description</b>	<b>Amended Project</b>	
10.02	Baggage Claim Area Renovation - Design (CIP #408)	\$5,440,000	

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52

; and

WHEREAS, as is indicated, upon the FAA’s approval of PFC Application #16 and the amendment to PFC #10.02, the County’s PFC collection authority will increase from the current authorized amount by \$76,920,000, from \$334,399,464 to \$411,319,464 over the life of the program, with the PFC collection end date extended to approximately April 2025; and

53 WHEREAS, a brief description of the new projects being requested in PFC  
54 Application #16 is provided below:

55  
56  
57  
58 **PFC APPLICATION # 16**  
59

60  
61 **16.01 Project Title: Noise Barrier Study**

62  
63 **Application Type:** Impose and Use  
64

65 **Project Description:**

66 This study will address aircraft noise from ground operations, which is defined as all aircraft  
67 movement while an aircraft is on the ground, including operations on the taxiways, runways,  
68 ramp/apron areas, terminal area, and the ground run-up enclosure. Effective means to  
69 reduce ground noise intrusion include:

- 70 • Sound barriers such as sound walls, earthen berms, and any solid material that acts  
71 to shield the noise, including existing or proposed structures such as buildings and  
72 hangars
- 73 • Parking plans to determine aircraft placement on aprons and at terminal gates that  
74 minimize the impact of noise in the adjacent neighborhoods.

75  
76 This project emanates from the approved FAA Part 150 Noise Study  
77

78  
79 **16.02 Project Title: Ramp Electrification Design**

80  
81 **Application Type:** Impose and Use  
82

83 **Project Description:**

84 Provide designs for increasing airport electrical service at the North FBO Signature Ramp,  
85 the International Arrivals Building (IAB) ramp, the West Ramp and on the south side of the  
86 Concourse D Stem. Electrical power will be supplied through vaults installed in the ramp  
87 pavement.  
88

89 This design project will include the investigation of available service, upgrade of the  
90 service if needed, the routing of conduit and cable to the appropriate vault locations,  
91 design of the vaults with required equipment and the specification of additional mobile  
92 equipment (such as pre-conditioned air units) to provide the necessary service to the  
93 aircraft. The design work will conclude with detailed construction cost estimates and the  
94 preparation of bidding documents for the new facilities. It is envisioned that the design  
95 will provide separate estimates and bidding documents for each of the subject locations:  
96 the North FBO Signature Ramp, the West Ramp, the IAB ramp and on the south side of the

97 Concourse D Stem. The construction estimates prepared during design will be used to  
98 identify more accurate and most appropriate budget amounts for future construction  
99 appropriation requests.

100

101 This project emanates from the approved FAA Part 150 Noise Study.

102

103

104 **16.03 Project Title: Concourse E Ground Power & Preconditioned Air Units**

105

106 **Application Type:** Impose and Use

107

108 **Project Description:**

109 Acquire and install ground power and preconditioned air units on nine bridges on  
110 Concourse E. All passenger loading bridges at GMIA, except for nine bridges on  
111 Concourse E and the single bridge at the International Arrivals Building (IAB), have electric  
112 powered Ground Power and Preconditioned Air units mounted on them. A project has  
113 been recently completed to increase the amount of electrical service to Concourse E to  
114 allow the installation of these units to all of the bridges on concourse E.

115

116 This project emanates from the approved FAA Part 150 Noise Study

117

118

119 **16.04 Project Title: Perimeter and ARFF Road Reconfiguration - Construction**

120

121 **Application Type:** Impose and Use

122

123 **Project Description:**

124 Relocate several sections of the airport ARFF and runway access roads to remove the  
125 existing direct roadway connections to the runways. These roads will be relocated to  
126 adjoining taxiways or other perimeter roadways.

127 The removal of these direct connections to the runways is intended to increase safety and  
128 decrease the possibility for inadvertent ground vehicle entry onto an active runway. A  
129 particular emphasis will be the relocation of roads that currently connect to the runway  
130 ends to connect to a taxiway or apron outside the runway safety area.

131

132

133 **16.05 Project Title: Runways 1L-19R and 7R-25L Intersection Repaving - Construction**

134

135 **Application Type:** Impose and Use

136

137 **Project Description:**

138 This project is the construction phase of the repaving of the intersection. The construction  
139 will occur in three phases consisting of removal and replacement of the existing  
140 bituminous pavement with new concrete in the areas outside of the respective runway

141 safety areas (in the first two phases) and then a mill and replacement of the top 8" of the  
142 bituminous pavement in the resulting smaller intersection area (in the last phase).

143

144

145 **16.06 Project Title: Perimeter Road Bridge Over Howell Ave. – Design**

146

147 **Application Type:** Impose and Use

148

149 **Project Description:**

150 Design a vehicle bridge on the south side of Runway 7R/25L at Citation Way similar to the  
151 existing bridge between the Terminal and Cargo Ramps located north of Taxiway A. This  
152 future bridge will be tied into a perimeter road network located within the Secured Area of  
153 the airport that will enable vehicles to travel from the Terminal Ramp to the South Ramp  
154 without entering the Movement Area or exiting the Secured Area into the public area.  
155 Bridge construction and tie in to the perimeter road network will be accomplished in future  
156 projects.

157

158

159 **16.07 Project Title: Inline Baggage Security - Construction (Phase 2)**

160

161 **Application Type:** Impose and Use

162

163 **Project Description:**

164 Construct an elevated structure on the north side of ticketing to house the EDS machines.  
165 To accommodate the building addition, a reconfiguration of the sheriff's checkpoint will be  
166 required. The conveyor system installed in Phase I will be extended to the elevated room  
167 with a number of diverters and pushers to ensure an efficient screening process. After bags  
168 are screened, the bags will be transferred by conveyor to individual airline carousals. A  
169 centralized TSA screening area will also be created as part of this project.

170

171

172 **16.08 Project Title: Gate D56 Improvements – Design and Construction**

173

174 **Application Type:** Impose and Use

175

176 **Project Description:**

177 Purchase a new jet bridge with ground power and pre-conditioned air units; retain a  
178 consultant to design the building modifications necessary for concourse level boarding;  
179 extend electrical power to the jet bridge; install a second-level door; move the security area  
180 to the second floor level; connect the gate to the Flight Information Display System (FIDS);  
181 and construct a podium for use by an airport tenant.

182

183

184

185 **16.09 Project Title: Fleet Snow Replacement Equipment (Combination/De-**  
186 **icer/Plow/Loader/Melter)**

187  
188 **Application Type:** Impose and Use  
189

190 **Project Description:**

191 Purchase snow removal, Aircraft Rescue and Fire Fighting (ARFF) and field maintenance  
192 equipment. Planned purchases in 2011 include one 4,000 gallon capacity runway de-icing  
193 vehicle, one Hagie runway sign clearance unit, and a stationary snow melter.  
194

195 In 2012, planned purchases include two four-wheeled articulated wheel loaders with either  
196 a blade or ramp hog attachment, and four 106 series patrol trucks with plows, and one  
197 mobile snow melter. In 2013, a third snow melter will be purchased.  
198

199

200 **16.10 Project Title: Redundant Main Electric Service Feed - Design**

201

202 **Application Type:** Impose and Use  
203

204 **Project Description:**

205 Design a second two-line electric power service from WE Energies to serve the Terminal  
206 Building from a different location than the service feeders that currently exist entering the  
207 northwest side of the terminal. WE Energies proposes to extend the two-line system from  
208 which they now serve the field lighting regulator building to the south side of the Terminal  
209 Building. The extension of the lines would be accomplished via directional bore under  
210 Runway 25L-7R and to a location near the southeast corner of the Parking Structure. The  
211 new electrical service equipment required for this project would be similar to that at the  
212 Howell Avenue Service Substation and in the Power House currently utilized for provision  
213 of the existing primary service to the Terminal.  
214

215

216

217 **16.11 Project Title: Terminal Roadway Signage - Design**

218

219 **Application Type:** Impose and Use  
220

221

222 **Project Description:**

223 Review all existing terminal roadway signage into and out of the GMIA terminal, including  
224 checking terminal roadway signage for condition, overall consistency, locations,  
225 color/lettering size and aesthetic consistency and develop design specifications for new  
226 and/or replacement signage.  
227

228

229

230 **16.12 Project Title: PFC Administrative Costs**

231

232 **Application Type:** Impose and Use

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**Project Description:**

Provide funding for PFC reporting compliance and auditing expenses and the development of PFC applications for 2011-2013.  
; and

WHEREAS, the Transportation, Public Works and Transit Committee, at its meeting of September 15, 2010, recommended that the Milwaukee County Board of Supervisors approve the submittal of PFC Application #16 requesting that an additional twelve (12) projects be included in the PFC program increasing authorized PFC funding by \$71,480,000 and amending PFC #10.02 adding an additional \$5,440,000, for a combined total of \$76,920,000 (vote 5-1); now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorize the submittal of Passenger Facility Charge (PFC) Application #16 requesting that an additional twelve (12) projects be included in the PFC program and the amendment to the PFC #10.02 program, increasing the total authorized PFC funding by \$76,920,000.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** August 25, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT: PASSENGER FACILITY CHARGE APPLICATION NO. 16**

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure	76,920,000	*
	Revenue	76,920,000	*
	Net Cost	0	0

**\* The PFC funding will commence being expended in 2010. However, the projects involved will be "active" for multiple years after 2010.**

## DESCRIPTION OF FISCAL EFFECT

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

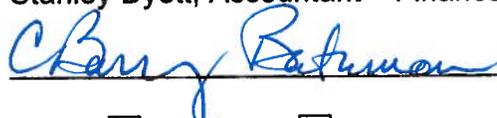
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.<sup>1</sup> 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 Airport staff's recommendation to submit PFC Application No. 16 for 12 additional projects and the amendment to PFC # 10.02 will have no fiscal effect on the tax levy of Milwaukee County. Approval will increase authorized PFC funding by \$76,920,000 and extend the PFC program end date to approximately April, 2025. The MKE PFC will remain at \$3.00 per passenger with this application.**

**All Airport Capital Improvement Projects, including PFC No. 16 projects and the amendment to PFC # 10.02, have been approved, and/or will be submitted for approval, as part of normal County Budget processes.**

Department/Prepared by: Stanley Dyett, Accountant – Finance/Administration

Authorized Signature



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

H:\Private\Clerk Typist\Aa01\TPW&T 10\FISCAL NOTE - PFC #16.doc

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

1  
2  
3  
4 (ITEM NO. 10) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to amend the Professional Services Agreement with Kutak Rock,  
6 LLP, increasing the contract from 19,500 to \$39,500, by recommending adoption of the  
7 following:

8  
9 **A RESOLUTION**

10  
11 WHEREAS, in December 2005, the Federal Base Realignment and Closure  
12 Commission (BRAC) recommended the closing of the 440<sup>th</sup> Base as part of its charge to  
13 evaluate all military bases throughout the United States; and

14  
15 WHEREAS, on December 15, 2005, the County Board granted authorization for  
16 Airport staff to begin the federal application process to obtain title to the 440<sup>th</sup> land upon its  
17 closure (file no. 05-530); and

18  
19 WHEREAS, Air Force personnel vacated the premises in early February 2008, and  
20 upon the Reserve Wing's departure, the Air Force Real Property Agency (AFRPA) became  
21 responsible for the maintenance of the Base, until such time as a Land Reuse Plan was  
22 approved and a transference process was completed; and

23  
24 WHEREAS, the recommended Land Reuse Plan was submitted in March of 2008 to  
25 the Deputy Assistant Secretary of the Air Force Installations for the Air Force approval; and

26  
27 WHEREAS, since that time, an environmental assessment has been completed,  
28 inventories taken, numerous repairs and/or maintenance activities have been accomplished  
29 and the property and buildings have been maintained by the Air Force; and

30  
31 WHEREAS, the Air Force has approved the Reuse Plan and the Department of  
32 Housing and Urban Development (HUD) has also approved the Reuse Plan; and

33  
34 WHEREAS, the final remaining element of the ARS transference to Milwaukee  
35 County involved securing Federal Aviation Administration (FAA) sponsorship of the Reuse  
36 Plan application; and

37  
38 WHEREAS, toward that end, a Public Benefit Conveyance application was  
39 submitted to the FAA in September 2009, and the FAA granted final approval on July 14,  
40 2010, resulting in the transfer of the property to Milwaukee County on July 26, 2010; and

41  
42 WHEREAS, to assist with the complex legal issues throughout this transfer,  
43 Milwaukee County retained Kutak Rock, LLP, to provide legal services and support on an  
44 "as needed" basis pursuant to the procedures established by BRAC; and

46 WHEREAS, Kutak Rock, LLP, was awarded a Professional Services Consultant  
47 Contract to provide legal services associated with the transfer of 440<sup>th</sup> Base to the Airport at  
48 a cost not to exceed \$19,500; and

49  
50 WHEREAS, there is \$2,067.40 left in the original Professional Services Consultant  
51 Contract with Kutak Rock, LLP, and Milwaukee County staff estimates the total cost of  
52 completing their professional "as needed" services at \$20,000.00; and

53  
54 WHEREAS, because Kutak Rock, LLP, is one of a very few law firms in the country  
55 that specialize in BRAC transactions, the Disadvantage Business Enterprise (DBE)  
56 requirement waiver exempting this contract from the DBE goal was approved on May 5,  
57 2009; and

58  
59 WHEREAS, the Committee on Transportation, Public Works and Transit, at their  
60 meeting of September 15, 2010, recommended approval of the Director of the Department  
61 of Transportation and Public Works and the Airport Director's request (6-0); now, therefore,

62  
63 BE IT RESOLVED, that the Airport Director be and is hereby authorized to enter into  
64 an Amendment of the Professional Services Agreement with Kutak Rock, LLP, and approval  
65 of the Agreement extension with Kutak Rock, LLP, will have no fiscal effect on the tax levy  
66 of Milwaukee County because sufficient funds are available in the Airport's Professional  
67 Services account.

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**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** August 24, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT: AMENDMENT TO PROFESSIONAL SERVICES CONSULTANT CONTRACT AGREEMENT BETWEEN MILWAUKEE COUNTY AND KUTAK ROCK, LLP**

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact  | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required   | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures<br>(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.*

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	20,000	0
	Revenue	20,000	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

## DESCRIPTION OF FISCAL EFFECT

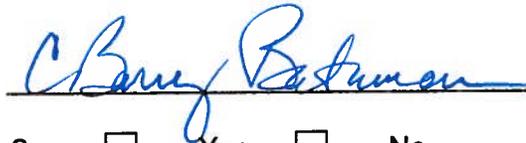
In the space below, you must provide the following information. Attach additional pages if necessary.

- 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.<sup>1</sup> 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 the Agreement extension with Kutak Rock, LL will have no fiscal effect on the tax levy of Milwaukee County. Sufficient funds are available in the Airport's Professional Services account.**

Department/Prepared by: Ted J. Torcivia, Airport Business Manager

Authorized Signature

  
\_\_\_\_\_

Did DAS-Fiscal Staff Review?  Yes  No

Reviewed by:

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

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4 (ITEM NO. 11) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to sell the countywide shuttle agreement and the assignment of  
6 the agreement from Airport Connection of Wisconsin, Inc., d/b/a Go Airport Connection, to  
7 Riteway Bus Service, Inc., at General Mitchell International Airport (GMIA), by  
8 recommending adoption of the following:  
9

10 **A RESOLUTION**

11  
12 WHEREAS, on August 15, 2009, Milwaukee County entered into a countywide  
13 shuttle agreement with Airport Connection of Wisconsin, Inc., D/B/A Go Airport  
14 Connection (hereinafter "Airport Connection") to be the sole shuttle operator providing  
15 service to passengers at General Mitchell International Airport (GMIA) on a countywide  
16 basis; and  
17

18 WHEREAS, the agreement was for an initial term of three (3) years, commencing  
19 November 1, 2009, with the Airport having the option to renew the agreement for four (4)  
20 additional one (1) year terms; and  
21

22 WHEREAS, Airport Connection is now requesting that Milwaukee County approve  
23 the sale of its assets to Riteway Bus Service and consent to the assignment of the  
24 Countywide Shuttle Agreement between Airport Connection and Milwaukee County to  
25 Riteway Bus Service, Inc.; and  
26

27 WHEREAS, Riteway Bus Service, Inc., is also requesting that Milwaukee County  
28 approve its purchase of the assets of Airport Connection and consent to the assignment of  
29 the Countywide Shuttle Agreement from Airport Connection to Riteway Bus Service; and  
30

31 WHEREAS, Airport staff has reviewed the operating plan of Riteway Bus Service and  
32 believes that Riteway Bus Service has the experience and financial capability to perform  
33 the requirements of the ground transportation agreement; and  
34

35 WHEREAS, in order to effectuate the sale of the County Wide Shuttle Agreement  
36 and the Assignment of the Agreement from Airport Connection of Wisconsin, Inc., d/b/a  
37 Go Airport Connection, to Riteway Bus Service, Inc., at GMIA, Airport staff recommends  
38 the following:  
39

- 40 1. Milwaukee County approve the sale of Airport Connection's assets to  
41 Riteway Bus Service, Inc.
- 42  
43 2. Milwaukee County approve the assignment of the Countywide Shuttle  
44 Agreement from Airport Connection to Riteway Bus Service, Inc.; and  
45

46 WHEREAS, the Transportation, Public Works and Transit Committee, at their  
47 meeting of September 15, 2010, recommended that Milwaukee County approve the sale of  
48 the County Wide Shuttle Agreement and the Assignment of the Agreement from Airport  
49 Connection of Wisconsin, Inc., d/b/a Go Airport Connection to Riteway Bus Service, Inc.,  
50 at GMIA (vote 6-0); now, therefore,  
51

52 BE IT RESOLVED, that the Director of Transportation and Public Works and the  
53 Airport Director are hereby authorized to approve the sale of the County Wide Shuttle  
54 Agreement and the Assignment of the Agreement from Airport Connection of Wisconsin,  
55 Inc., d/b/a Go Airport Connection, to Riteway Bus Service, Inc., at General Mitchell  
56 International Airport (GMIA)  
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**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** August 26, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** SALE OF COUNTY WIDE SHUTTLE AGREEMENT AND ASSIGNMENT OF AGREEMENT FROM AIRPORT CONNECTION OF WISCONSIN, INC., D/B/A GO AIRPORT CONNECTION TO RITEWAY BUS SERVICE, INC.

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	\$52,000.00 (est.)	0
	Revenue	\$52,000.00 (est.)	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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. <sup>1</sup> 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.

Riteway Bus Service, Inc. will take over the Countywide Shuttle Agreement payments to the airport, estimated to average \$52,000 per year. There is no impact to the tax levy of Milwaukee County.

Department/Prepared by: John Moore, Airport Operations Manager, Landside

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

Reviewed by:

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

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4 (ITEM NO. 12) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to effectuate leasehold changes to integrate the areas leased under  
6 Midwest Airlines, Inc.'s agreements to those of Frontier Airlines, Inc., by recommending  
7 adoption of the following:

8  
9 **A RESOLUTION**

10  
11 WHEREAS, County Board approval is required for Milwaukee County to assign  
12 agreements with airline tenants at General Mitchell International Airport (GMIA); and

13  
14 WHEREAS, Republic Airways Holdings, Inc., acquired Midwest Airlines, Inc.  
15 ("Midwest") and Frontier Airlines, Inc. ("Frontier"), and now owns five different airlines  
16 operating out of GMIA; and

17  
18 WHEREAS, as a result of the acquisition, Midwest has disposed of all of its aircrafts  
19 which will require Midwest to relinquish its Federal Aviation Regulation (FAR) Part 121 air  
20 carrier certificate; and

21  
22 WHEREAS, four of the five carriers maintain signatory airline agreements with  
23 Milwaukee County (Shuttle America Airlines, Inc. operates out of GMIA on a non-signatory  
24 basis.):

- 25 • Midwest Airlines, Inc. (signatory since 1984)
- 26 • Frontier Airlines, Inc. (signatory since 2004)
- 27 • Republic Airlines, Inc. (signatory since 2008)
- 28 • Chautauqua Airlines, Inc. (signatory since 2009); and

29  
30 WHEREAS, all Midwest "branded" flights will be operated under the FAR Part 121  
31 air carrier certificates of Republic, Frontier, and Chautauqua; and

32  
33 WHEREAS, Midwest will no longer be a "signatory" carrier at GMIA; and

34  
35 WHEREAS, all Signatory Agreements will expire under their own terms in  
36 September of 2010; and

37  
38 WHEREAS, Republic Airways Holdings has requested that all agreements with  
39 Midwest be transferred to Frontier, in order to integrate the areas currently leased by  
40 Midwest into those of Frontier; and

41  
42 WHEREAS, the Committee on Transportation, Public Works and Transit, at its  
43 meeting of September 15, 2010, recommended approval of the Director of the Department  
44 of Transportation and Public Works and the Airport Director's request (6-0); now, therefore,

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BE IT RESOLVED, that the Airport Director is hereby authorized to effectuate leasehold changes to integrate the areas leased under Midwest Airlines, Inc.'s agreements into those of Frontier Airlines, Inc. as follows:

- Midwest Airlines, Inc. Hydrant Fuel (AC-885) be assigned to Frontier Airlines, Inc. (AC-1439)
- Midwest Airlines Communications Permit (PP-1680) be assigned to Frontier Airlines, Inc. (PP-1680)
- Midwest Airlines, Inc. Gate Kiosk Permit (PP-1860) be assigned to Frontier Airlines, Inc. (PP-1860)
- Midwest Airlines, Inc. Food Kitchen Land and Building Agreement (AC-1484) be assigned to Frontier Airlines, Inc. (AC-1484)
- Skyway Airlines, Inc. Hangar Agreement (HP-1302) be assigned to Frontier Airlines, Inc. (HP-1302)
- Midwest Airlines, Inc. Hangar Agreement (AC-965) be assigned to Frontier Airlines, Inc. (AC-965)

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** August 30, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT: LEASE AGREEMENT TRANSACTIONS AT GENERAL MITCHELL INTERNATIONAL AIRPORT RELATED TO MIDWEST AIRLINES, INC., REPUBLIC AIRLINES, INC., AND FRONTIER AIRLINES, INC.**

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

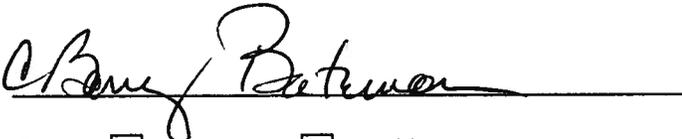
**DESCRIPTION OF FISCAL EFFECT**

**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.<sup>1</sup> 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 the above-listed lease assignments and terminations will have no fiscal impact on Airport finances nor on the tax levy of Milwaukee County.

Department/Prepared by: C. Barry Bateman, Airport Director

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

Reviewed by:

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

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4 (ITEM NO. 13) From the Director, Department of Transportation and Public Works,  
5 requesting authorization to enter into a maintenance agreement with the Wisconsin  
6 Department of Transportation (WisDOT) to provide enhanced landscaping of State  
7 Highway 119 – the Airport Spur, by recommending adoption of the following:  
8

9  
10  
11 **A RESOLUTION**

12 WHEREAS, the Wisconsin Department of Transportation (WISDOT) is rebuilding I-  
13 94 from the Plainfield Curve to the Wisconsin / Illinois state line; and

14 WHEREAS, a part of the program is the rebuilding of State Highway 119 – the  
15 Airport Spur; and

16  
17 WHEREAS, the WISDOT also is significantly improving the landscaping along the  
18 Spur, beyond what would be done under a typical rebuilding project; and

19  
20 WHEREAS, the final project will result in a much improved and impressive entrance  
21 to and exit from General Mitchell International Airport (GMIA); and

22  
23 WHEREAS, maintenance is normally done by the State (or their agent), but because  
24 this landscaping is significantly above that typically performed in State road rebuilding  
25 projects and because the additional landscaping directly benefits the Airport, the State will  
26 require the Airport to provide the increased landscaping maintenance; and

27  
28 WHEREAS, the Committee on Transportation, Public Works and Transit, at their  
29 meeting of September 15, 2010, recommended that the County Board approve of entering  
30 into an agreement with the WISDOT for the Airport to provide the maintenance of the Spur  
31 landscaping (vote 5-0); now, therefore,

32  
33 BE IT RESOLVED, that the Director of Transportation and Public Works is hereby  
34 authorized to enter into a maintenance agreement with the Wisconsin Department of  
35 Transportation (WISDOT), to provide enhanced landscaping of State Highway 119 - the  
36 Airport Spur.  
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**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** August 25, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** AIRPORT SPUR UPGRADE

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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.<sup>1</sup> 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.

**Annual cost of spur landscaping maintenance is estimated to be \$30,000. The Airport Division will budget sufficient funds to provide this maintenance. There is no tax levy impact.**

Department/Prepared by: C. Barry Bateman, Airport Director

Authorized Signature

  
\_\_\_\_\_

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

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

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(ITEM NO. 14) From the Director, Community Business Development Partners, requesting authorization to submit the annual Disadvantaged Business Enterprise (DBE) goals for the United States Department of Transportation (USDOT) Assisted Projects to the Federal Aviation Administration (FAA) for anticipated contracts for Federal Fiscal Year (FFY) 2011-2013, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the United States Department of Transportation (USDOT) requires all recipients of federal USDOT dollars to submit by August 1 of each year their goals for Disadvantaged Business Enterprise (DBE) participation in federally-funded USDOT projects for the following federal fiscal year (FFY); and

WHEREAS, the goals must be calculated in accordance with a methodology prescribed in 49CFR Part 26; and

WHEREAS, following goal setting methodology prescribed in 49CFR Part 26, the Community Business Development Partners Office (CBDP) formulated DBE goals for anticipated USDOT assisted projects for FFY 2009, and

WHEREAS, the CBDP has published the goals for a 45 day comment period in accordance with federal regulations; and

WHEREAS, the report with the DBE Goals for FFY 2011-2013 must be reviewed by the County Board prior to submittal to USDOT;

WHEREAS, the goals are as follows:

FAA Airport:

- Construction: 25.00% to be achieved with 20.00% race conscious efforts and 5.00% race neutral efforts;
- Professional Services: 25.00% to be achieved with 17.52% race conscious efforts and 7.48% race neutral efforts;
- Overall FAA goal: 25.00% of which 19.81% is race conscious and 5.19% is race neutral;

and

WHEREAS, the Committee on Transportation, Public Works and Transit, at their meeting of September 15, 2010, recommended approval of the Director of CBDP's request (vote 5-0); and

44 WHEREAS, the Committee on Economic and Community Development, at their  
45 meeting of September 20, 2010, concurred with the Committee on Transportation, Public  
46 Works and Transit and recommended approval of the Director of CBDP's request  
47 (vote 7-0); now, therefore,  
48

49 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
50 authorizes and directs the Community Business Development Partners (CBDP) to submit  
51 the annual Disadvantaged Business Enterprise (DBE) goals for United States Department of  
52 Transportation (USDOT) Assisted Projects to the Federal Aviation Administration (FAA) for  
53 anticipated contracts in FFY 2011-2013  
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**MILWAUKEE COUNTY FISCAL NOTE FORM**

DATE: September 1, 2010

Original Fiscal Note

Substitute Fiscal Note

Subject: FFY 2011 -2013 Disadvantaged Enterprise (DBE) FAA Goals

**FISCAL EFFECT:**

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure		
	Revenue		
	Net Cost		
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

## DESCRIPTION OF FISCAL EFFECT

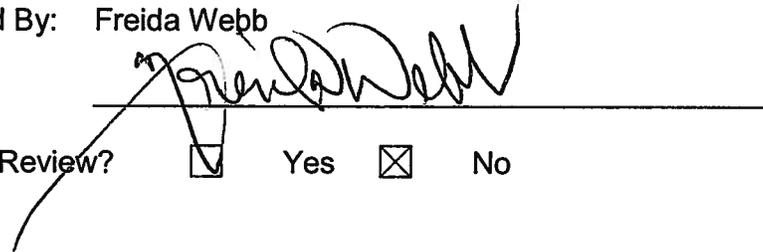
In the space below, you must provide the following information. Attach additional pages if necessary.

- 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. <sup>1</sup> 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 adoption of this resolution will not require an expenditure of funds.

Department/Prepared By: Freida Webb

Authorized Signature



Did DAS-Fiscal Staff Review?  Yes  No

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

1 Supervisor Theodore Lipscomb, Vice-Chairperson  
2 From the Committee on Economic and Community Development, reporting on:

3

4

5

File No.10-292  
(Journal, September 30, 2010)

6 (ITEM 1) From the County Executive, appointing Mr. Damon Dorsey to the position of  
7 Director of Economic Development, by recommending confirmation of the said  
8 appointment.

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(ITEM 2) From the Interim Director, Department of Health and Human Services, requesting authorization to enter into a subordination agreement to subordinate the County Home Repair lien on 1262 N. 68th Street, Wauwatosa, to a refinanced first mortgage, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, Jeanine Rowe received a \$14,000 Home Repair loan in October of 2009 for repairs of her house at 1262 N. 68 St, Wauwatosa; and

WHEREAS, the County has been asked to maintain it's lien in second position behind a refinanced first mortgage; and

WHEREAS, Ms. Rowe does not meet the qualifications under the adopted resolution for the administrative subordination of liens, as she seeks to take \$27,000 in cash out as part of the refinancing, which would be used to create additional living space in her house's attic; and

WHEREAS, Ms. Rowe would otherwise meet criteria for administrative subordination, in that there is equity remaining after the refinancing to protect the County's lien (\$140,150 debt under a current appraisal of \$175,000), and she has a good payment history on her County loan; now, therefore,

BE IT RESOLVED, that the Director of the Department of Health and Human Services, or her designee, is authorized and directed to enter into a subordination agreement to subordinate the County Home Repair lien on 1262 N. 62 St, Wauwatosa, to a refinanced first mortgage.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** Sep 9, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Subordination of County Home Repair lien

**FISCAL EFFECT:**

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|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact<br><input type="checkbox"/> Existing Staff Time Required<br><input type="checkbox"/> Increase Operating Expenditures<br>(If checked, check one of two boxes below)<br><input type="checkbox"/> Absorbed Within Agency's Budget<br><input type="checkbox"/> Not Absorbed Within Agency's Budget<br><input type="checkbox"/> Decrease Operating Expenditures<br><input type="checkbox"/> Increase Operating Revenues<br><input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures<br><input type="checkbox"/> Decrease Capital Expenditures<br><input type="checkbox"/> Increase Capital Revenues<br><input type="checkbox"/> Decrease Capital Revenues<br><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
<b>Operating Budget</b>	Expenditure		
	Revenue		
	Net Cost		
<b>Capital Improvement Budget</b>	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.<sup>1</sup> 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.

Subordination of County lien to refinanced first mortgage has no fiscal impact. Costs or revenues are not increased or decreased.

Department/Prepared By Milwaukee County Housing Division, Gary Bottoni, Program Coordinator

Authorized Signature



Did DAS-Fiscal Staff Review?  Yes  No

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

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(ITEM 3) Reference file established by the County Board Chairman, relative to Sales of Surplus Lands, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the Real Estate Division of the Department of Transportation and Public Works received three offers to purchase on an excess County-owned single-family house located at 6614 Vista Drive in the City of Wauwatosa; and,

WHEREAS, the subject property, appraised at \$50,000, consists of a four-bedroom two-bath house with a two car detached garage situated on a 60 X 120 foot lot. The Milwaukee County Treasurer acquired the property for delinquent taxes by foreclosure proceedings. The property is in need of complete interior and exterior rehabilitation, including significant basement work and sewer lateral replacement; and

WHEREAS, the first offer is from James L. Rogge in the amount of \$55,500 cash. Mr. Rogge is the adjacent property owner and plans to completely re-hab the house as an investment property. Mr. Rogge has purchased and rehabilitated several homes in the past; and

WHEREAS, the second offer is from Chase Properties & Investment, LLC (Chase) in the amount of \$51,000 cash. Chase plans to completely re-hab the house as an investment property. A representative of Chase provided bank statements indicating more than sufficient funds to buy and re-hab the subject property; and

WHEREAS, the third offer is from Brutus Investments LLC in the amount of \$15,000 cash; and

WHEREAS, the Committee on Economic and Community Development at their meeting on September 20, 2010 recommended acceptance of the above-described offer from James L. Rogge in the amount of \$55,500 as the primary offer and the offer from Chase Properties & Investments, LLC in the amount of \$51,000 as a secondary offer; now, therefore,

BE IT RESOLVED, that the Manager of Real Estate Services is hereby authorized to sign the above described offer to purchase from James L. Rogge in the amount of \$55,500 as the primary offer and the offer from Chase Properties & Investments in the amount of \$51,000 as a secondary offer; and

46 BE IT FURTHER RESOLVED, that the County Executive and the County Clerk are  
47 hereby authorized to convey by Warranty Deed the subject property located at 6614 Vista  
48 Drive in the City of Wauwatosa to James L. Rogge and/or assigns for the consideration of  
49 \$55,500 pursuant to the terms and conditions of his offer to purchase; and

50

51 BE IT FURTHER RESOLVED, that in the event James L. Rogge does not fulfill the  
52 terms and conditions of his offer to purchase then the County Executive and the County  
53 Clerk are hereby authorized to convey by Warranty Deed the subject property to Chase  
54 Properties & Investments, LLC and/or assigns for the consideration of \$51,000 pursuant to  
55 the terms and conditions of their offer to purchase.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** September 2, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Offers to purchase on a County-owned single-family house located at 6614 Vista Drive in the City of Wauwatosa, Wisconsin.

**FISCAL EFFECT:**

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

	Expenditure or Revenue Category	Current Year	Subsequent Year
<b>Operating Budget</b>	Expenditure	\$ 5,000	
	Revenue	\$ 55,500	
	Net Cost	- \$ 50,500	
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

## DESCRIPTION OF FISCAL EFFECT

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

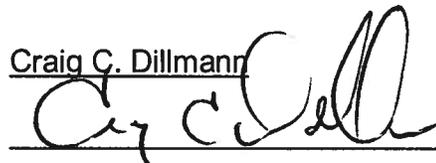
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.<sup>1</sup> 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.

FISCAL NOTE: Sale proceeds less expenses will be deposited in the Sale of Capital Assets Account 5804-4905

Department/Prepared By

Craig C. Dillmann

Authorized Signature



Did DAS-Fiscal Staff Review?

Yes

No

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

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(ITEM 4) Reference file established by the County Board Chairman, relative to Sales of Surplus Lands, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, in May 2009 the Milwaukee County Board of Supervisors adopted Resolution File No. 09-14(a)(g) approving a Development Agreement and accepting a Real Property Purchase Agreement (“Purchase Agreement”) from UWM Innovation Park, LLC (“UWM”) for approximately 88.9 acres of land in the Northeast Quadrant of the County Grounds for the development of a new College of Engineering and Applied Science Campus, known as Innovation Park. The Purchase Agreement was executed on July 1, 2009; and

WHEREAS, the County Board adopted Resolution File No. 09-14(a)(n) in December 2009 approving a Habitat Restoration Landscaping Plan (“Habitat Plan”), which preserves and protects the environmentally sensitive areas of the land to be acquired by UWM; and

WHEREAS, in response to the County Board approving the Habitat Plan, it was necessary for UWM to modify their conceptual site development plan (“development plan”) and Certified Survey Map (“CSM”) before submitting them to the City of Wauwatosa (“City”) to commence the City approval process. Also, to memorialize the requirements in the approved Habitat Plan and adopted County Board resolution the Purchase Agreement and Development Agreement required modification and the Amended Purchase Agreement was executed in February 2010; and

WHEREAS, in February 2010, UWM submitted to the City the zoning application, the modified development plan and CSM to begin the City approval process; and

WHEREAS, since the City rezoning approval process was anticipated to take a minimum of three (3) months, the County Board in March 2010, adopted Resolution File No. 10-14 (a)(a), extending the March 31, 2010 Contingency Waiver Date in the Purchase Agreement to July 31, 2010. In addition to considering the rezoning, the City began the process of evaluating a request for the creation of a tax incremental financing district (“TIF”) to assist with the needed infrastructure improvements to Innovation Park; and

WHEREAS, in May 2010, the City Common Council approved the Preliminary Business Planned Development for Innovation Park, the change of zoning and the land division by CSM. The draft CSM has been reviewed by the City and the County Register of Deeds Office and upon execution and recording of the final CSM, the land to be conveyed to UWM will be legally divided and described; and

46 WHEREAS, the City continues to deliberate the UWM request for a TIF and the City  
47 hired a financial consultant to ascertain the feasibility of the TIF. On August 9, 2010, the  
48 City Plan Commission entertained public testimony regarding the TIF request and voted to  
49 delay action on the TIF until September; and

50

51 WHEREAS, by a letter dated August 30, 2010, UWM requested an amendment to  
52 the Purchase Agreement extending the Contingency Waiver Date in the Purchase  
53 Agreement from September 30, 2010 to November 15, 2010, thereby keeping the  
54 Purchase Agreement in-force should the City not reach a decision regarding the TIF in  
55 September and as a result there is insufficient time to seek an extension from the County  
56 Board. The UWM letter does waive the following "Approvals Contingencies in favor of the  
57 Buyer" in the Purchase Agreement specifically identified as subparagraphs:

58

59 3(i)a Rezoning of the Property, if necessary, to a zoning classification satisfactory  
60 to Buyer.

61 3(i)b Buyer obtaining the valid and irrevocable grant, on terms and conditions  
62 satisfactory to Buyer, of all permits, licenses, variances, and approvals that  
63 are necessary to permit Buyer to develop the Property as contemplated,  
64 signs, curb cuts, driveways, ingress and egress to public thoroughfares,  
65 landscaping, utility service, storm water detention, environmental controls,  
66 and the approval of the Milwaukee County Board of the Restoration Plan, as  
67 defined in the Development Agreement.

68 3(i)c Platting or replatting the Property in a manner satisfactory to Buyer

69 ; and

70

71 WHEREAS, at its meeting on September 20, 2010, the Committee on Economic and  
72 Community Development recommended extending the Contingency Waiver Date in the  
73 Purchase Agreement with UWM from September 30, 2010 until November 15, 2010, and  
74 pursuant to the Purchase Agreement the closing will occur on or before December 15,  
75 2010, if the remaining closing contingencies are satisfied or waived; now, therefore,

76

77 BE IT RESOLVED, the Manager of Real Estate Services is hereby authorized to  
78 extend the Contingency Waiver Date in the Purchase Agreement with UWM from  
79 September 30, 2010 until November 15, 2010.

80

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** September 1, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** From UWM Innovation Park, LLC requesting an extension to the contingency period in the Real Property Purchase Agreement for County-owned land located in the Northeast Quadrant of the Countu Grounds in the City of Wauwatosa.

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	
	Revenue	0	
	Net Cost	0	
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

## DESCRIPTION OF FISCAL EFFECT

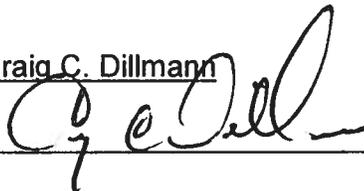
In the space below, you must provide the following information. Attach additional pages if necessary.

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

Extending the Contingency Waiver Date in the Purchase Agreement with UWM from September 30, 2010 to November 15, 2010, will result in the initial \$5.0 million in sale proceeds being realized at closing on or before December 15, 2010, if the remaining closing contingencies are satisfied or waived.

Department/Prepared By Craig C. Dillmann

Authorized Signature



Did DAS-Fiscal Staff Review?                      Yes    x                      No

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

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(ITEM 5) Reference file established by the County Board Chairman, relative to Sales of Park East Lands, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS; RSC & Associates (“RSC”) reported to the Economic and Community Development Committee in June 2010 that they contracted with Common Bond Communities (“Common Bond”) to purchase .46-acres of the 2.13-acre Block 26 and construct the first phase of the Park East Square development on Block 26, comprising an 85-unit workforce residential apartment building with approximately 12,000 square feet of retail space and underground parking; and

WHEREAS, to finance the first phase Common Bond submitted an application through a competitive process to the Wisconsin Housing and Economic Development Authority (“WHEDA”) for 9% housing tax credits and those credits would be sold to finance the majority of the residential component of the first phase. Unfortunately, Common Bond did not receive the WHEDA 9% tax credit allocation necessary to meet their financing needs and a multi-million dollar financing gap resulted, thus making their contemplated work-force housing concept financially unfeasible; and

WHEREAS, in a written communication dated August 18, 2010, RSC states they continue to work with Common Bond to identify alternative funding sources and design variations to advance the first phase of the project, including 4% tax credits and Midwestern Disaster Recovery tax-exempt bonds, but again a financial gap results, thus rendering the project economics unfeasible; and

WHEREAS, RSC and Common Bond discussions with lenders, pension funds, and insurance companies indicate these potential market rate funding sources are reallocating funds to commit to quality apartment projects such the first phase of Park East Square and Common Bond has recently received authorization to pursue market rate housing and anticipates incorporating their Advantage Housing Services (“AHS”) program depending on the amount of affordable housing within the project. AHS provides their residents the tools and connections to provide a foundation for continued independence; and

WHEREAS, in order for RSC and Common Bond to accomplish their joint venture goal to finance and develop a high quality market rate apartment project, RSC is requesting an extension to the Excavation Commencement Date until March 30, 2011 and sixty days thereafter for the Excavation Completion date. As a result, an amendment to the Development Agreement (“Fourth Amendment”) will be necessary. County staff, Corporation Counsel and private legal counsel, enlisted by Corporation Counsel, has worked with RSC to establish the following summary terms and

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conditions of the Fourth Amendment to the Development Agreement:

1. The Project Excavation Commencement Date, defined in the Development Agreement with Milwaukee County, originally dated December 21, 2007, as amended by that certain Amendment to Development Agreement-Park East Corridor Development of Block 26, dated May 7, 2009 and further amended by the Second Amendment, dated February 1, 2010, and as amended by the Third Amendment to the Development Agreement-Park East Corridor Development of Block 26, dated July 14, 2010 (collectively the "Development Agreement") be extended from September 30, 2010 to March 30, 2011 for the Project Commencement Date and 60 days thereafter for the Excavation Completion Date.
2. RSC has now forfeited to the County the entire \$50,000 in the Letter of Credit for not meeting the prior Excavation Completion Dates and the Letter of Credit will be refunded by RSC to the original \$50,000 prior to the Excavation Commencement Date.
3. In the event RSC fails to achieve the March 30, 2011 Excavation Commencement Date and the Excavation Completion Date 60-days thereafter, the County shall be entitled to all the remedies, rights, terms and conditions accruing in the Development Agreement, including without limitation, a \$2,000/day penalty and the County's option to repurchase Block 26 at 85% of what the County was paid.
4. Except as provided above, the terms and conditions of the document entitled the Fourth Amendment to Development Agreement-Park East Corridor Development of Block 26 would be substantially the same as the terms and conditions of the Development Agreement; and

WHEREAS, in this extraordinary economic and lending environment, the successful completion of the RSC Project for Block 26 will lead to increased jobs, tax base and be a catalyst for further development in and in proximity to the Park East Corridor; and

WHEREAS, the Committee on Economic and Community Development, at its meeting on September 20, 2010, recommended approval of the above-described Fourth Amendment; now, therefore,

BE IT RESOLVED, the County Executive and the County Clerk are hereby authorized to execute, after Corporation Counsel approval, the above-described Fourth Amendment to the Development Agreement for Block 26 in the Park East Corridor.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** September 1, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** From RSC & Associates requesting an amendment to the Development Agreement for the 2.13-acre Block 26 (aka Block 1E) in the Park East Corridor, located between North Jefferson, North Milwaukee and East Lyon Streets and East Ogden Avenue in the City of Milwaukee, east of the Milwaukee River.

**FISCAL EFFECT:**

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|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact  | <input type="checkbox"/> Increase Capital Expenditures |
| <input checked="" type="checkbox"/> Existing Staff Time Required                                       | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures<br>(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.*

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
<b>Capital Improvement Budget</b>	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.<sup>1</sup> If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Extending the Excavation Commencement Date for Block 26 until March 30, 2011 and 60 days thereafter for the Excavation Completion Date, pursuant to the Fourth Amendment, will not include the payment of an extension fee.

Department/Prepared By

Craig C. Dillmann

Authorized Signature



Did DAS-Fiscal Staff Review?

Yes

No

<sup>1</sup> 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.

# **MILWAUKEE COUNTY TRANSIT SYSTEM CLAIMS**

## **COUNTY BOARD MEETING OF**

**SEPTEMBER 30, 2010**

\* \* \* \* \*

- 10-4 From State Farm Mutual Automobile Insurance Company, submitting a Claim on 7/30/10 for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From William Cooper, submitting a Claim on 7/30/10 for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From American Family Insurance, submitting a Claim on 7/30/10 in behalf of Ellis R. Coleman for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From Rebecca Bray, submitting a Claim on 8/9/10 for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From Pasternak and Zirgibel S.C., submitting a Claim on 8/10/10 in behalf of Bernard Billups for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From Action Law Offices, submitting a Claim on 8/10/10 in behalf of Guadalupe Ramirez for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From Kmieg Law Offices, S.C., submitting a Claim on 8/19/10 in behalf of Timothy Hill for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From Pasternak and Zirgibel S.C., submitting a Claim on 8/24/10 in behalf of Bernard Billups for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From Sterling Law Offices, LLC, submitting a Claim on 8/30/10 in behalf of Jeffrey Davis for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.

- 10-4 From Karp Law Office S.C., submitting a Claim on 9/10/10 in behalf of Brittany J. King for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From Davis & Gelshenen, LLP, submitting a Claim on 9/15/10 in behalf of Sun Shun for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.
- 10-4 From Dahlberg Pryzbyla Law LLC, submitting a Claim on 9/10/10 in behalf of Latricia G. Tatum for damages and injuries allegedly sustained in an accident involving a Milwaukee Transport Services, Inc. bus.

**MILWAUKEE COUNTY BOARD**

**MEETING OF JULY 29, 2010**

**ITEMS PLACED ON FILE BY THE COUNTY BOARD CHAIRMAN**

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- 10-3 From Milwaukee County Clerk, submitting a listing of Summons & Complaints, Discrimination Complaints, et. al., served on the County Clerk in behalf of the County of Milwaukee.
- 10-6 From Cramer, Multhauf & Hammes, LLP, submitting a Notice of Injury in behalf of Steve Wosinski, Amy Wosinski and Eric Wosinski for injuries and damages allegedly sustained at the O'Donnell Park Parking Structure.
- 10-6 From Barbara M. Lewandowska, submitting a Notice of Claim for damages allegedly sustained as a result of water damage to her home and garage.
- 10-6 From Carole Jackson, submitting a Notice of Intent to File a Claim for Injuries and damages allegedly sustained at the Milwaukee Art Museum.
- 10-6 From Weiss, Berzowski & Brady, LLP, submitting a Notice of Claim in behalf of JBC 1, LLC for injuries and damages allegedly sustained due to the encroachment of Milwaukee County property.
- 10-6 From Sisco Benefits, submitting a Notice of Claim in behalf of Kathleen Nelessen for injuries and damages allegedly sustained at Mitchell International Airport.
- 10-6 From Murphy & Prachthauser, submitting a Notice of Circumstances of Claim in behalf of Judith Szeklinski for injuries and damages allegedly sustained at the Super Saver Lot at Mitchell International Airport.
- 10-6 From Weigel Carlson, Blau & Clemens, S.C., submitting a Notice of Circumstances of Claim in behalf of Mary Ann Brannon for injuries and damages allegedly sustained at the Marcia P. Coggs Human Services Center.
- 10-6 From Davis & Gelshenen LLP, submitting a Notice of Injury in behalf of Tracey Sanford for injuries and damages allegedly sustained as a passenger in a Milwaukee County Sheriff's vehicle.