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By Supervisor Rice

Journal,  
File No. 09-

**A RESOLUTION**

Creating a Redistricting Commission to be responsible for the independent drafting of Supervisory Districts following the 2010 United States Census.

WHEREAS, Wisconsin Statute 59.10 mandates that Milwaukee County must establish new supervisory districts following the release of decennial population census data, the next of which is scheduled to occur in 2010; and

WHEREAS, the redistricting process in Milwaukee County last took place in 2003 when the County Board approved a resolution reducing the size of the board from twenty-five to nineteen members and redrew electoral district boundaries; and

WHEREAS, the statutory guidelines frame a timeline for the completion of redistricting, and direct that the new Supervisory districts be substantially equal in population, consist of contiguous whole wards, and adhere to municipal boundaries where possible; and

WHEREAS, in addition to the statutory guidelines, according to “The Shape of Representative Democracy”, a report of the 2005 Redistricting Reform Conference, any redistricting plan should:

- 1. Adhere to the United States Constitution and Voting Rights Act
- 2. Promote competitiveness and partisan fairness
- 3. Respect political subdivisions and communities of interest
- 4. Encourage geographical compactness

; and

WHEREAS, the current process by which redistricting takes place in Milwaukee County – essentially having the legislative branch perform the redistricting – has the potential to become overly politicized and serve the interest of the elected rather than the electorate; and

WHEREAS, in order to remove political influence from the redistricting process and prevent deliberately moderating electoral districts to create advantage, it is essential that Milwaukee County entrust the duty of re-drawing electoral districts to an independent commission; and

WHEREAS, the model for an independent commission has been implemented in a growing number of state and local jurisdictions, resulting in a

38 much less contentious redistricting process, but the model still allows for  
39 substantial input from elected officials and still requires Board and County  
40 Executive approval for the redistricting plan; and

41 WHEREAS, the Milwaukee County Redistricting Commission as proposed  
42 herein will be composed of five members nominated by the members of the  
43 Milwaukee County Ethics Board, subject to approval of the County Board and the  
44 County Executive; and

45 WHEREAS, all members of the Redistricting Commission must be of voting  
46 age, reside in Milwaukee County and not hold any elected office or have  
47 registered party affiliations; and

48 WHEREAS, the procedures set forth below provide the transparency and  
49 opportunity for public input necessary to assure fairness in the redistricting  
50 process; now therefore,

51 BE IT RESOLVED, that the Milwaukee County Board of Supervisors, for the  
52 reasons above, hereby creates the Milwaukee County Redistricting Commission,  
53 which shall be composed of five members nominated by the Milwaukee County  
54 Ethics Board, subject to confirmation of the County Board and County Executive,  
55 with support provided by County Board staff; and

56 BE IT FURTHER RESOLVED, that eligibility for service on the Redistricting  
57 Commission is limited to residents of Milwaukee County of legal voting age who  
58 hold no elected office nor have any political party affiliation; and

59 BE IT FURTHER RESOLVED, that the Redistricting Commission shall  
60 substantially follow these procedural guidelines when developing a redistricting  
61 plan:

- 62 1. The Commission shall convene prior to March 15, 2011 for  
63 orientation and a briefing on the legal requirements for  
64 redistricting;
- 65 2. Upon receipt of US Census data, the Commission shall develop a  
66 draft redistricting plan in accordance with the timeline mandated  
67 by state law;
- 68 3. The Commission shall hold at least one public hearing at which the  
69 draft redistricting plan will be presented;
- 70 4. The Commission shall solicit comments and suggestions from all  
71 municipalities incorporated within Milwaukee County;

72 5. The Commission shall revise its draft plan in accordance with the  
73 input of the public hearing and the municipalities and submit the  
74 plan to the Office of Corporation Counsel to ensure compliance  
75 with all applicable state and federal laws;

76 6. The Commission shall submit a final redistricting plan to the  
77 County Board within 60 days of receipt of US Census data, or as  
78 otherwise require by state law;

79 and

80 BE IT FURTHER RESOLVED, that the procedure for adoption of the  
81 redistricting plan shall be as follows:

82 1. The redistricting plan prepared by the Commission shall be referred to  
83 the Committee on Judiciary, Safety and General Services, which shall  
84 forward its recommendation to the full County Board;

85 2. The County Board may approve or amend the redistricting plan only  
86 upon a vote of two-thirds of the members-elect;

87 3. In the event the redistricting plan fails of adoption, or is vetoed and  
88 sustained, the redistricting plan is returned to the Commission with a  
89 communication detailing the objections of the County Board and/or  
90 the County Executive;

91 4. The Commission shall revise the plan based on the cited objections  
92 and re-submit the revised plan to the County Board no later than the  
93 next regularly scheduled meeting of the County Board;

94 5. In the event the second plan fails of adoption, or is vetoed and  
95 sustained, the charge of redistricting shall be referred to the Office of  
96 Corporation Counsel to draft a substitute redistricting plan under  
97 Wisconsin Statute 59.10(6);

98 and,

99 BE IT FURTHER RESOLVED, that the redistricting plan developed by the  
100 Milwaukee County Redistricting Commission shall be in full compliance with all  
101 applicable state and federal laws.

102 rice.redistricting commission

103

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** November 12, 2009

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** A resolution creating a Redistricting Commission to be responsible for the independent drafting of Supervisory Districts following the 2010 United States Census.

**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		
	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 will not result in a tax levy increase, but will require an expenditure of staff time.

Department/Prepared By County Board/Ceschin

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.



OFFICE OF CORPORATION COUNSEL

*Milwaukee County*

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:** May 26, 2010  
**TO:** Committee on Judiciary, Safety & General Services  
**FROM:** Robert E. Andrews, Deputy Corporation Counsel  
**SUBJECT:** File No. 09-475 A Resolution Creating a Redistricting Commission

At your meeting on April 8, 2010 you referred to our office a resolution for the creation of a Redistricting Commission which would be "responsible for the independent drafting of Supervisor Districts following the 2010 United States Census." The matter was referred to our office without specifying any legal issues or concerns.

The goal of the resolution is to insert a Redistricting Commission into the process of drafting new boundaries for the districts of the nineteen County Supervisors. The five members of the Commission would be nominated by the Milwaukee County Ethics Board subject to confirmation by the County Board and County Executive. The duty of the Commission shall be to prepare a redistricting plan for Milwaukee County. This plan would be referred to the Committee on Judiciary, Safety and General Services which would make its recommendation to the County Board.

In a significant departure from current practice the resolution states that the County Board "may approve or amend the redistricting plan only upon a vote of two-thirds of the members-elect". If the plan fails adoption it would be returned to the Commission to revise the plan, and if it fails again, the Office of Corporation Counsel would draft a substitute redistricting plan.

The relevant State statute for the drafting of countywide districts is Wis. Stat. §59.10(2) and (3) which states that the County Board shall adopt a tentative plan which will be transmitted to the local municipalities for comment before the Board adopts a final plan.

On the general subject of majority vs. two-thirds vote, *see* Wis. Stat. §59.02(3): "All questions shall be determined by a majority of the supervisors who are present unless otherwise provided". It is our opinion that means "unless otherwise provided by statute".

The Rules of the County Board Supervisors (§1.04 (a) MGO) regarding voting by the Board provide the same as the State: "All questions shall be determined by a majority of the supervisors present, unless otherwise provided by statutes or this chapter." Five examples of votes that specifically call for a two-thirds vote can be found at §1.04 (d) MGO (e.g. transferring funds from the contingency appropriation, considering vetoes of the County Executive).

Thus, imposing a condition that approval of two-thirds of the Board is necessary for the adoption of a plan would, in our estimation, require amendments to both the State statutes and the County ordinances. We believe that continuing with the majority vote as opposed to a two thirds vote is consistent with the proposition that the duty and authority to adopt the plan is vested in the County Board. The County Board cannot delegate that authority to a "redistricting commission" of its own invention.

Setting aside the vote requirement, our office has no objection to the establishment of a Redistricting Commission as proposed in the resolution. We view the Commission's role, which is largely advisory, as an addition to the current process. Passage of the resolution would be sufficient to create the Commission.

Respectfully submitted,



\_\_\_\_\_  
REA/rf

cc: Linda Durham  
Jennifer Mueller  
Barb Pariseau

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

DATE: June 10, 2010

TO: Committee on Judiciary, Safety and General Services

FROM: Glenn E. Bultman, Legislative Research Analyst

**SUBJECT: Redistricting**

The attached resolution relating to redistricting proposes to create an independent redistricting commission. State statutes require that the County Board redistrict after each census, which they have done since 1970. All 72 counties within the State of Wisconsin use the same procedure used by Milwaukee County. The proposed resolution is silent on the question of the number of districts for 2012.

County Executive

The only role for the County Executive for redistricting, according to the statutes, is to either approve or veto the plan adopted by the County Board. The County Executive signed the 2003 redistricting plan. A 2/3 vote is only required if there is a veto (which occurred in 1991 and 2001). The County Executive now appoints the Ethics Board members from nominees by several groups that represent only a small part of Milwaukee County's population. The elected County Board represents all parts of Milwaukee County and is non-partisan.

County Board

The 2003 redistricting plan, which reduced the County Board by 24% (from 25 to 19), was not adopted by a 2/3 majority (the vote was 16 to 9). Fourteen of the 25 County Board members were in districts with two incumbents. Also, the only district without any incumbent was the first district created in Milwaukee County with a Hispanic majority. Ten of the current County Board members participated in the 2003 redistricting and they have been reelected twice with the new boundaries. Few residents have any experience with redistricting.

The statutes only allow 60 days after the census data is received to adopt the tentative plan. If this is not accomplished, the Corporation Counsel shall draft a substitute redistricting plan under the provisions of the proposed resolution. The Corporation Counsel has approved all previous redistricting plans since 1970. If the County Board fails to enact a plan according to the statutes, a Circuit Court judge will approve a new plan for 2012. Since the 1980 census, the Federal courts have adopted every state redistricting plan in Wisconsin because the Legislature and Governor have failed to do it!

If requested, County Board staff will meet with any County Board member to discuss questions relating to redistricting. Legal redistricting questions should be referred to the Corporation Counsel.

Cc: County Board of Supervisors  
Tim Schoewe, Corporation Counsel

Attachments

## 59.08 COUNTIES

of the election shall be certified to the judges of the circuit courts for the counties.

(10) If a majority of the votes cast in each county upon the question of consolidation are in favor of the consolidation of the counties, the judge of the circuit court shall enter that fact of record in each county. If in any one of the counties less than a majority of the votes cast upon the question of consolidation are in favor of the proposed consolidation, the consolidation shall be declared to have failed for all purposes. If a majority of the votes cast upon the question of consolidation in any county are opposed to consolidation, the question of consolidation shall not be again submitted to the electors of that county for a period of 2 years.

(11) At the next succeeding regular November election, held at least 60 days after the election at which consolidation is approved by the voters, there shall be elected for the consolidated county all county officers provided for by law and the officers shall be nominated as provided in ch. 6. Their terms shall begin on the first Monday of January next succeeding their election, at which time they shall replace all elective county officers of the counties that are consolidated into the consolidated county whose terms shall on that day terminate. All appointive county officers shall be appointed by the person, board or authority upon whom the power to appoint such officers in other counties is conferred. The terms of the officers shall commence on the first Monday of January next succeeding the first election of officers for the consolidated county, and shall continue, unless otherwise removed, until their successors have been appointed and qualified. The successors of all officers whose first election or appointment is provided for in this subsection shall thereafter be elected or appointed at the time, in the manner and for the terms provided by law.

(13) Upon the first Monday of January following the first election of county officers for the consolidated county, the several counties shall thereafter for all purposes be treated and considered as one county, under the name and upon the terms and conditions set forth in the consolidation agreement. All rights, privileges, and franchises of each of the several counties, and all records, books, and documents, and all property, real and personal, and all debts due on whatever account, as well as other things in action, belonging to each of the counties, shall be considered transferred to and vested in the consolidated county, without further act or deed. All property, all rights-of-way, and all and every other interest shall be as effectually the property of the consolidated county as they were of the several counties before the consolidation. The title to real estate, either by deed or otherwise, under the laws of this state vested in any of the counties, shall not be considered to revert or be in any way impaired by reason of this consolidation. The rights of creditors and all liens upon the property of any of the counties shall be preserved unimpaired, and the respective counties shall be considered to continue in existence to preserve the same and all debts, liabilities and duties of any of the counties shall attach to the consolidated county and be enforced against it to the same extent as if the debts, liabilities and duties had been incurred or contracted by it, unless by the terms of the agreement the outstanding bonded indebtedness of the counties shall not be transferred and attached to the consolidated county, but shall remain as obligations of the counties which for such purpose shall be considered to continue in existence.

(14) Suits may be brought and maintained against the consolidated county in any of the courts of this state in the same manner as against any other county. Any action or proceeding pending by or against any of the counties consolidated may be prosecuted to judgment as if the consolidation had not taken place, or the consolidated county may be substituted in its place. The towns, school districts, election districts and voting places in the consolidated county shall continue as in the several counties before consolidation, unless and until changed in accordance with law.

(15) Until changed by law, the same circuit courts shall continue, though it may result in the consolidated county being a part of 2 or more circuits. All such courts shall, however, be held at the place designated as the county seat of the consolidated county, and

each such court and the judge of that court shall continue to have and exercise the same jurisdiction as the court or the judge had and exercised before the consolidation. If 2 or more judges have jurisdiction in any consolidated county they or a majority of them shall exercise the power to appoint officers and fill vacancies as is vested in judges of circuit courts of other counties.

(16) For the purpose of representation in congress and in the legislature the existing congressional, senatorial and assembly districts shall continue until changed in accordance with law. The consolidated county shall in all respects, except as otherwise provided in this section, be subject to all the obligations and liabilities imposed, and shall possess all the rights, powers and privileges vested by law in other counties.

(17) The provisions of this section shall be considered cumulative and the authority granted in this section to counties shall not be limited or made inoperative by any existing statute.

*History:* 1977 c. 449; 1979 c. 311; 1981 c. 377; 1983 a. 192; 1989 a. 56, 192; 1991 a. 316; 1993 a. 490; 1995 a. 16 ss. 1, 2; 1995 a. 201 ss. 480 to 483; Stats. 1995 s. 59.08; 1995 a. 225 ss. 175 to 179; 1997 a. 35; 1999 a. 182; 2001 a. 16.

## SUBCHAPTER III

## COUNTY BOARD OF SUPERVISORS

**59.10 Boards: composition; election; terms; compensation; compatibility.** The boards of the several counties shall be composed of representatives from within the county who are elected and compensated as provided in this section. Each board shall act under sub. (2), (3) or (5), unless the board enacts an ordinance, by a majority vote of the entire membership, to act under sub. (1). If a board enacts such ordinance, a certified copy shall be filed with the secretary of state.

(1) **SELF-ORGANIZED COUNTIES.** (a) *Number of supervisors and apportionment of supervisory districts.* In each county with a population of at least 500,000, sub. (2) (a) and (b) applies. In counties with a population of less than 500,000 and more than one town, sub. (3) (a) to (c) applies. In counties with one town only, sub. (5) applies.

(b) *Terms.* The term of office of supervisors is 2 years. A board may determine whether the terms shall be concurrent or staggered. Supervisors shall be elected at the election to be held on the first Tuesday in April next preceding the expiration of their respective terms and shall take office on the 3rd Tuesday in April following their election. If the board determines that supervisors shall serve staggered terms, the board shall, by ordinance, provide for a division of supervisors into 2 classes, one class to be elected for one-half of a full term and the other class for a full term and thereafter the supervisors shall be elected for a full term. The board shall publish the ordinance as a class 1 notice, under ch. 985, or as a notice, as described under s. 59.14 (1m) (b), before publication of the notice of the election at which supervisors are to be elected.

(c) *Compensation.* The method of compensation for supervisors shall be determined by the board.

(d) *Vacancies.* A board may determine the procedure for filling a vacancy.

(2) **MILWAUKEE COUNTY.** In each county with a population of at least 500,000:

(a) *Composition: supervisory districts.* Within 60 days after the population count by block, established in the decennial federal census of population, and maps showing the location and numbering of census blocks become available in printed form from the federal government or are published for distribution by an agency of this state, but no later than July 1 following the year of each decennial census, the board shall adopt and transmit to the governing body of each city and village wholly or partially contained within the county a tentative county supervisory district plan to be considered by the cities and villages when dividing into wards. The plan shall specify the number of supervisors to be elected and shall divide the county into a number of districts equal to the num-

ber of supervisors, with each district substantially equal in population and consisting of contiguous whole wards. Except as otherwise provided in this paragraph, the board shall develop and adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a final plan by enacting an ordinance in accordance with sub. (3) (b) 2. to 4.

(b) *Election; term.* Supervisors shall be elected for 4-year terms at the election to be held on the first Tuesday in April next preceding the expiration of their respective terms, and shall take office on the 3rd Monday in April following their election.

(c) *Compensation.* Each supervisor shall be paid by the county an annual salary set by the board. The board may provide additional compensation for the chairperson. Section 66.0505 applies to this paragraph.

(d) *Changes during decade.* 1. ‘Number of supervisors; redistricting.’ The board may, not more than once prior to November 15, 2010, decrease the number of supervisors after the enactment of a supervisory district plan under par. (a). In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted. In the redistricting plan, the board shall adhere to the requirements under sub. (3) (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. The chairperson of the board shall file a certified copy of any redistricting plan adopted under this subdivision with the secretary of state.

2. ‘Election; term.’ Any redistricting plan enacted under subd. 1. becomes effective on the first November 15 following its enactment, and first applies to the spring election following the plan’s effective date. Any redistricting plan enacted under subd. 1. shall remain in effect until the effective date of a redistricting plan subsequently enacted under par. (a). Supervisors elected from the districts created under subd. 1. shall serve for 4-year terms and shall take office on the 3rd Monday in April following their election.

(3) OTHER COUNTIES. (a) *Classification; maximum number of supervisors.* Counties with a population of less than 500,000 and more than one town are classified and entitled to a maximum number of supervisors as follows:

1. Counties with a population of less than 500,000 but at least 100,000 shall have no more than 47 supervisors.

2. Counties with a population of less than 100,000 but at least 50,000 shall have no more than 39 supervisors.

3. Counties with a population of less than 50,000 but at least 25,000 shall have no more than 31 supervisors.

4. Counties with a population of less than 25,000 and containing more than one town shall have no more than 21 supervisors.

5. If the population of any county is within 2% of the minimum population for the next most populous grouping under this paragraph, the board thereof, in establishing supervisory districts, may employ the maximum number for such districts set for such next most populous grouping.

(b) *Creation of supervisory districts.* 1. Within 60 days after the population count by block, established in the decennial federal census of population, and maps showing the location and numbering of census blocks become available in printed form from the federal government or are published for distribution by an agency of this state, but no later than July 1 following the year of each decennial census, each board shall propose a tentative county supervisory district plan setting forth the number of supervisory districts and tentative boundaries or a description of boundary requirements, hold a public hearing on the proposed plan and

adopt a tentative plan. The proposed plan may be amended after the public hearing. The board shall solicit suggestions from municipalities concerning the development of an appropriate plan. The board shall transmit to each municipal governing body in the county the tentative plan that is adopted. Each district shall consist of whole wards or municipalities. Each district shall be designated to be represented by one supervisor, and all districts shall be substantially equal in population. In the tentative plan, the board shall, whenever possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. If the division of a municipality is sought by the board, the board shall provide with the plan a written statement to the municipality affected by each proposed division specifying the approximate location of the territory from which a ward is sought to be created for contiguity purposes and the approximate population of the ward proposed to effectuate the division.

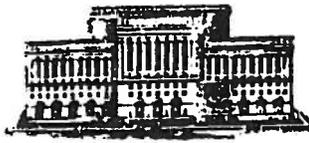
2. Within 60 days after every municipality in the county adjusts its wards under s. 5.15, the board shall hold a public hearing and shall then adopt a final supervisory district plan, numbering each district. Wards within each supervisory district created by the plan shall be contiguous, except that one or more wards located within a city or village which is wholly surrounded by another city or water, or both, may be combined with one or more noncontiguous wards, or one or more wards or portions of wards consisting of island territory as defined in s. 5.15 (2) (f) 3. may be combined with one or more noncontiguous wards or portions of wards within the same municipality, to form a supervisory district.

4. The chairperson of the board shall file a certified copy of the final districting plan with the secretary of state.

(c) *Changes during decade; municipal boundary adjustments.* After the enactment of a plan of supervisory districts under par. (b), a municipal incorporation, annexation, detachment or consolidation may serve as a basis for altering between federal decennial censuses the boundaries of supervisory districts, in the discretion of the board. The number of supervisory districts in the county shall not be changed by any action under this paragraph. Any plan of county supervisory districts enacted under par. (b) may be amended under this paragraph but shall remain in effect as amended until superseded by another plan enacted by the board under par. (b) and filed with the secretary of state.

(cm) *Changes during decade; reduction in size.* 1. ‘Number of supervisors; redistricting.’ Except as provided in subd. 3., following the enactment of a decennial supervisory district plan under par. (b), the board may decrease the number of supervisors. In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted. In the redistricting plan, the board shall adhere to the requirements under par. (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. No plan may be enacted under this subdivision during review of the sufficiency of a petition filed under subd. 2. nor after a referendum is scheduled on such a petition. However, if the electors of the county reject a change in the number of supervisory districts under subd. 2., the board may then take action under this subdivision except as provided in subd. 3. The county clerk shall file a certified copy of any redistricting plan enacted under this subdivision with the secretary of state.

2. ‘Petition and referendum.’ Except as provided in subd. 3., the electors of a county may, by petition and referendum, decrease the number of supervisors at any time after the first election is held following enactment of a decennial supervisory district plan under par. (b). A petition for a change in the number of supervisors



**JOSEPH A. RICE**  
MILWAUKEE COUNTY SUPERVISOR

May 6, 2010

Supervisor Willie Johnson, Jr., District 13  
Milwaukee County Board of Supervisors  
Milwaukee County Courthouse  
901 N. Ninth Street, Room 201  
Milwaukee, WI 53233

Re: Resolution 09-475

Dear Supervisor Johnson:

My thanks to you and members of the Judiciary Committee for your consideration at the April 8, 2010 Judiciary, Safety and General Services Committee meeting of my resolution to reform the manner in which redistricting is conducted in Milwaukee County.

I am aware of the Committee's referral of the resolution to Corporation Counsel to obtain guidance on legal issues. I have been in contact with Mr. Andrews to discuss the matter and address any questions he might have regarding the intent or implementation issues raised by the resolution.

By copy of this letter to members of the Committee, I wish to express my willingness to respond to questions and work with those interested in establishing a process that is transparent, fair and free of political influence. I welcome any suggestions for revisions or improvements in the resolution.

I will be pleased to address the committee on additional issues or concerns that may arise as a result of the Corporation Counsel's analysis. Please advise if you will be scheduling this for consideration at the May 13 meeting.

Thank you.

Very truly yours,

JOSEPH A. RICE  
Supervisor, District 6

JAR: sd

**Supervisor Willie Johnson, Jr.**

**May 6, 2010**

**Page 2**

**cc: Milwaukee County Supervisor Lynne DeBruin  
Milwaukee County Supervisor Paul Cesarz  
Milwaukee County Supervisor Gerry Broderick  
Milwaukee County Supervisor Patricia Jursik  
Milwaukee County Supervisor Christopher Larson  
Milwaukee County Supervisor Joe Sanfelippo  
Mr. Robert Andrews, Milwaukee County Deputy Corporation Counsel  
Mr. Rick Ceschin, Research Analyst, Milwaukee County Board of Supervisors**



Percentage of Pop by Race -County Board Adopted 2004

9/29/2003

District #	TOTAL POP	WHITE	White %	BLACK	Black %	HISPANIC	Hispanic %	ASIAN	Asian %	AMINDIAN	Amindian%	OTHERMLT	OtherMlt%
District 1	48137	13531	28.11%	32372	67.25%								
District 10	47461	10763	22.68%	32285	68.02%	1022	2.12%	610	1.27%	206	0.43%		
District 11	51805	45696	88.21%	1929	3.72%	1767	3.72%	1875	3.95%	205	0.43%	297	0.62%
District 12	47582	10782	22.66%	3469	7.29%	2460	4.75%	1120	2.16%	363	0.70%	415	0.87%
District 13	47214	12036	25.49%	30350	64.28%	3480	7.37%	1502	3.16%	869	1.83%	66	0.13%
District 14	51154	43433	84.91%	843	1.65%	4756	9.30%	570	1.21%	289	0.61%	235	0.49%
District 15	49570	43092	86.93%	3191	6.44%	1595	3.22%	1040	2.03%	659	1.29%	346	0.73%
District 18	48906	26421	54.02%	18814	38.47%	1595	3.22%	1032	2.08%	359	0.72%	133	0.26%
District 2	47723	12752	26.72%	30838	64.62%	1644	3.36%	1131	2.31%	342	0.70%	136	0.27%
District 19	50064	46246	92.37%	874	1.75%	1438	3.01%	1946	4.08%	261	0.55%	312	0.64%
District 17	51600	47790	92.62%	719	1.39%	1519	3.03%	910	1.82%	330	0.66%	343	0.72%
District 16	51156	46400	90.70%	717	1.40%	1447	2.80%	1197	2.32%	262	0.51%	80	0.16%
District 9	51812	47422	91.53%	754	1.46%	2611	5.10%	670	1.31%	507	0.99%	99	0.19%
District 8	51534	47429	92.03%	580	1.13%	1868	3.61%	1209	2.33%	355	0.69%	84	0.16%
District 3	48560	42065	86.62%	2525	5.20%	2214	4.30%	511	0.99%	547	1.06%	76	0.15%
District 4	49473	25147	50.83%	2053	4.15%	1449	2.98%	1762	3.63%	321	0.66%	61	0.12%
District 5	47090	8580	18.22%	32073	68.11%	18265	36.92%	2115	4.28%	1325	2.68%	177	0.36%
District 6	51943	41688	80.26%	6912	13.31%	2097	4.45%	3275	6.95%	346	0.73%	265	0.54%
District 7	47380	12208	25.77%	31715	66.94%	1181	2.27%	1633	3.14%	181	0.35%	537	1.14%
						1112	2.35%	1542	3.25%	246	0.52%	186	0.36%
												439	0.93%

1 By Supervisors Dimitrijevic, Lipscomb, Harris, Jursik, Weishan, Larson and  
2 Broderick

3  
4  
5

Journal,  
File No. 10-

6

**A RESOLUTION**

7 Authorizing and directing the Manager, Election Commission, to place  
8 campaign finance reports on the Internet and to research the technology necessary  
9 so that candidates and County elected officials may file reports directly on-line.

10 WHEREAS, on March 25, 2009, the County Board Chairman established  
11 the Committee on County Board Information Technology to, among other things,  
12 reduce paper usage and make more public information available via the Internet  
13 and other modern technologies; and

14 WHEREAS, the County Board approved a contract with Daystar Computer  
15 Systems, Inc. to develop a legislative workflow database known as Legistar that  
16 tracks legislative items and all appurtenant material, preserves the public record,  
17 facilitates publishing minutes, resolutions and ordinances, and does so while  
18 offering full access to the public; and

19 WHEREAS, per State law, candidates and County elected officials must file  
20 certain campaign finance reports with the Milwaukee County Election  
21 Commission; and

22 WHEREAS, since the Milwaukee County Election Commission does not  
23 accommodate electronic filing of campaign reports, these documents are currently  
24 only available for viewing or purchasing copies by visiting the Courthouse; and

25 WHEREAS, other governmental entities, such as the City of Milwaukee and  
26 State of Wisconsin, have implemented systems that allow campaign finance  
27 reports to be filed electronically and viewed by the public; and

28 WHEREAS, the development of technology to allow campaign finance  
29 reports to be filed electronically will require an expenditure of funds, but  
30 "scanning" in filed paper reports and placing them on the County website can be  
31 accomplished at little or no cost; and

32 WHEREAS, allowing public access to county campaign finance reports via  
33 the Internet will eliminate the need to travel to the Courthouse and promote open  
34 government while making it easier for candidates and elected officials to file their  
35 required reports; now, therefore

36 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
37 authorizes and directs the Manager of the Election Commission to begin, starting  
38 with reports filed in 2010, scanning campaign finance reports for candidates and  
39 County elected officials and making them available on the County website by  
40 September 1, 2010, as an interim step towards full on-line filing; and

41 BE IT FURTHER RESOLVED, that these reports include, but may not be  
42 limited to, candidate registration statements and campaign finance reports as  
43 currently being made available by the Government Accountability Board State  
44 website; and

45 BE IT FURTHER RESOLVED, that the Director, Milwaukee County Election  
46 Commission shall investigate the resources necessary and most effective manner  
47 in which to implement on-line electronic filing and submit a report to the  
48 Committee on Judiciary, Safety and General Services no later than October 1,  
49 2010.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** 7/8/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** A resolution authorizing and directing the Manager, Election Commission, to place campaign finance reports on the Internet and to research the technology necessary so that candidates and County elected officials may file reports directly on-line.

**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		
	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.

Approval of this resolution will authorize and direct the Manager, Election Commission, to post campaign reports for County offices to the website. In addition to scanning in reports filed in 2010, the Election Commission will develop a plan to allow on-line filing of campaign reports and present its findings to the County Board by October 1, 2010.

The Election Commission's 2010 budget anticipates \$500 in revenue from providing copies of election reports. Copy revenue will most likely decrease if election reports were available on the Internet. It is expected, however, that the Election Commission will still achieve its budgeted amount this year. Future copying revenues are likely to be less.

Election reports will need to be scanned and posted to the County website which will require staff time to accomplish. This additional staff time will most likely be offset by a reduction in walk-in customers seeking copies of reports.

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

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 Supervisor Rice

Journal,  
2 File No. 10-

3 **AN ORDINANCE**

4 Amending Chapter 9, Code of Ethics, of the Milwaukee County Code of General  
5 Ordinances as it relates to confidential information, privileged communications and  
6 information acquired in meetings convened in closed session.

7 The County Board of Supervisors of the County of Milwaukee does ordain as  
8 follows:

9 **SECTION 1.** Section 9.02 (14) of the General Ordinances of Milwaukee County is  
10 amended as follows:

11 9.02 Definitions

12 (14) "Privileged information" means information obtained under government  
13 authority which has not become a part of the body of public  
14 information. including but not limited to information that has been  
15 acquired in a meeting convened in closed session under the provisions  
16 of Wis. Stats. 19.85, or information contained in a communication  
17 labeled as privileged or confidential.

18 **SECTION 2.** Section 9.05 of the General Ordinances of Milwaukee County is  
19 amended as follows:

20 9.05. Standards of conduct.

21 (1) No personal or economic interest in decisions and policies: The county  
22 board hereby reaffirms that a county elected official, appointed official or  
23 employee holds his/her position as a public trust, and any effort to realize  
24 personal gain through official conduct is a violation of that trust. This  
25 chapter shall not prevent any county elected official, appointed official or  
26 employee from accepting other employment or from following any  
27 pursuit which does not interfere with the full and faithful discharge of  
28 his/her duties to the county. The county board further recognizes that in a  
29 representative democracy, the representatives are drawn from society  
30 and, therefore, cannot and should not be without all personal and  
31 economic interest in the decisions and policies of government; that  
32 citizens who serve as public officials or public employees retain their  
33 rights as citizens to interests of a personal or economic nature; that  
34 standards of ethical conduct for public employees and public elected and  
35 appointed officials need to distinguish between those minor and  
36 inconsequential conflicts which are unavoidable in a free society and  
37 those conflicts which are substantial and material; and that county  
38 elected officials, appointed officials or employees may need to engage in

39 employment and/or professional or business activities, other than official  
40 duties, in order to support their families and to maintain a continuity of  
41 professional or business activity or may need to maintain investments.  
42 However, the code maintains that such activities or investments must not  
43 conflict with the specific provisions of this chapter.

44 (2)(a) No financial gain or anything of substantial value: Except as otherwise  
45 provided or approved by the county board, no county public official or  
46 employee shall use his/her public position or office to obtain financial  
47 gain or anything of substantial value for the private benefit of  
48 himself/herself or his/her immediate family, or for an organization with  
49 which he/she is associated. This paragraph does not prohibit a county  
50 elected official from using the title or prestige of his/her office to obtain  
51 campaign contributions that are permitted by and reported as required by  
52 ch. 11, Wis. Stats.

53 (b) No person may offer anything of value: No person shall offer or give to  
54 any public official or employee, directly or indirectly, and no public  
55 official or employee shall solicit or accept from any person, directly or  
56 indirectly, anything of value if it could reasonably be expected to  
57 influence the public official's or employee's vote, official actions or  
58 judgment, or could reasonably be considered as a reward for any official  
59 action or inaction or omission by of the public official or employee. This  
60 section does not prohibit a public official or an employee from engaging  
61 in outside employment.

62 (c) No substantial interest or benefit: Except as otherwise provided in  
63 paragraph (1.), no public official or employee shall:

64 1. Take any official action substantially affecting a matter in which the  
65 public official, employee, a member of his/her immediate family, or  
66 an organization with which the public official or employee is  
67 associated has a substantial financial interest.

68 2. Use his/her office or position in a way that produces or assists in the  
69 production of a substantial benefit, direct or indirect, for the public  
70 official, employee, members of the public official's or employee's  
71 immediate family either separately or together, or an organization  
72 with which the public official or employee is associated.

73 (d) No disclosure of privileged information: No county public official or  
74 employee shall use or disclose privileged information gained in the  
75 course of, or by reason of, his/her position or activities which in any way  
76 could result in financial gain for himself/herself or for any other person.

77 (e) No use of public position to influence or gain unlawful benefits,  
78 advantages or privileges: No county public official or employee shall use  
79 or attempt to use his/her public position to influence or gain unlawful  
80 benefits, advantages, or privileges for himself/herself or others.

81 (f) No offer of gifts or anything of value: No county public official shall offer  
82 or give anything of value to a member or employee of a county

83 department or entity, while that member or employee is associated with  
84 the county department or entity, and no member or employee of a  
85 department shall solicit or accept from any such person anything of value  
86 from a county official or employee.

87 (g) Limits on contracts with county: No county public official or employee  
88 and no business with which he/she or his/her spouse has a significant  
89 fiduciary relationship or any organization with which he/she or his/her  
90 spouse is associated shall enter into any contract with the county unless  
91 that contract has been awarded through a process of public notice and  
92 competitive bidding in conformity with applicable federal and state  
93 statutes and county ordinances.

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

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

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

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

126 | (l) ~~(4)~~—Limits on honorarium fees or expense reimbursements: No county  
127 | public official or employee shall accept or solicit any honorariums, fees  
128 | or expense reimbursements except in accordance with section 9.14.

129 | (m) Closed Session, Confidential Information and Privileged  
130 | Communications.

131 |  
132 | (1) No county public official or employee may disclose privileged  
133 | information, as defined in Section 9.02, to any individual who was not  
134 | authorized to receive such information as defined below, except as  
135 | provided in subsection (4) below.

136 |  
137 | (2) For purposes of this section, an individual is authorized to receive  
138 | privileged information if:

- 139 | a. that individual is a public official as defined in Section 9.02 of this  
140 | chapter or a member of the governmental body as defined in Wis.  
141 | Stats. 19.89; or  
142 | b. that individual was authorized to attend a closed session by the  
143 | County Board Chairman or presiding Committee Chair; or  
144 | c. that individual was authorized to receive privileged information  
145 | presented in a closed session after the fact with the authorization  
146 | of the County Board Chairman or the presiding Committee Chair;  
147 | or  
148 | d. that individual is specified as an addressee or copied recipient of a  
149 | privileged communication, or otherwise authorized as a recipient  
150 | by the author of such communication.

151 |  
152 | (3) Violation of this section may be addressed by the use of such  
153 | remedies as are currently available by law, including but not limited to  
154 | the following actions:

- 155 | a. Corporation Counsel is authorized to seek injunctive relief to  
156 | prevent disclosure or further disclosure of privileged information  
157 | obtained in closed session;  
158 | b. An investigation request or verified complaint may be filed as  
159 | provided in Section 9.09(4) of this chapter, and shall be processed  
160 | and disposed in accordance with the procedures contained herein.

161 |  
162 | (4) No action authorized under subsection (3) above may be taken  
163 | against a person, nor shall it be deemed a violation of this section, if:

- 164 | a. The disclosure of privileged information is part of a confidential  
165 | inquiry or complaint to a district attorney concerning a perceived  
166 | violation of law, including the disclosure of facts to a district  
167 | attorney that are necessary to establish the illegality of an action  
168 | taken by a public official or the potential illegality of an action if  
169 | that action were to be taken by a public official;

170 b. The County Board adopts a resolution authorizing the release of  
171 privileged information.

172  
173 (5) Nothing in this section shall be construed to prohibit disclosures  
174 permitted under Subchapters III and IV of Wis. Stats. 230  
175 ("Whistleblower" laws).

176  
177 (6) The Ethics Board shall include the requirements of closed session  
178 confidentiality and notice of the requirements of this section as part of  
179 Ethics training conducted under 9.08 (10).

180  
181 (3) *Limits on contact:*

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

190 (b) *Limits on contact with judicial or quasi-judicial proceedings:* No former  
191 county public official or employee for twelve (12) months following the  
192 date on which he/she ceases to be a county public official or employee,  
193 shall for compensation on behalf of himself/herself or any person other  
194 than a governmental entity, make any formal or informal appearance  
195 before, or try to settle or arrange a matter by calling, writing, or  
196 conferring with, any county public official, officer or employee of a  
197 department in connection with any judicial or quasi-judicial proceeding,  
198 application, contract, claim, or charge which was under the former public  
199 official's or employee's responsibility as a county public official or  
200 employee.

201 (c) *Limits on contacts with judicial or quasi-judicial proceedings where*  
202 *personally participated:* No former county public official or employee  
203 shall, whether for compensation or not, act on behalf of any party other  
204 than the county in connection with any judicial or quasi-judicial  
205 proceeding, application, contract, claim, or charge in which the former  
206 public official or employee participated substantially as a public official  
207 or employee.

208 (d) *Consideration of exemptions:* The ethics board shall accept and review  
209 written requests by former appointed officials for an exemption from the  
210 prohibitions of (3). Such exemption requests must be heard and  
211 deliberated during a properly convened open session of an ethics board  
212 meeting and must be included in a written ethics board opinion stating

213 the reason(s) that the former appointed official should be exempt from the  
214 otherwise prohibited conduct.  
215  
216 chapter 9.05.rice.closed session

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** June 2, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** AN ORDINANCE

Amending Chapter 9, Code of Ethics, of the Milwaukee County Code of General Ordinances as it relates to confidential information, privileged communications and information acquired in meetings convened in closed session.

**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		
	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 ordinance amendment addresses disclosure of confidential information obtained through privileged or confidential communications, and information acquired in a meeting convened in closed session. There is no direct fiscal impact, although Ethics Board staff will be required to add training on confidentiality to the Ethics Training materials.

Department/Prepared By County Board / Ceschin

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.

**JEFFREY A. KREMERS**

Chief Judge  
Telephone: (414) 278-5116

**DAVID A. HANSHER**

Deputy Chief Judge  
Telephone: (414) 278-5340

**MAXINE A. WHITE**

Deputy Chief Judge  
Telephone: (414) 278-4482

**BRUCE M. HARVEY**

District Court Administrator  
Telephone: (414) 278-5115

**BETH BISHOP PERRIGO**

Deputy District Court Administrator  
Telephone: (414) 278-5025

STATE OF WISCONSIN

## FIRST JUDICIAL DISTRICT

MILWAUKEE COUNTY COURTHOUSE  
901 NORTH NINTH STREET, ROOM 609  
MILWAUKEE, WISCONSIN 53233-1425

TELEPHONE (414) 278-5112

FAX (414) 223-1264



**DATE:** July 7, 2010

**TO:** Chairman Lee Holloway  
Milwaukee County Board of Supervisors

**C:** Supervisor Elizabeth Coggs, Chair-Finance and Audit Committee  
Supervisor Willie Johnson, Jr., Chair-Judiciary, Safety & General Services Committee

**FROM:** Chief Judge Jeffrey A. Kremers

**RE:** WCS Operating While Intoxicated Program – Additional 2010 DOT Funding

Please place the above item on the next Judiciary, Safety and General Services and Finance and Audit Committee agendas.

Milwaukee County has received the 2010-2011 funding award notice from the Wisconsin Department of Transportation for the above program. The award results in increased 2010 program funding in the amount of \$60,843.

I am requesting permission to receive these additional funds and to execute an amendment to WCS' professional services contract to allow expenditure of these funds in 2010.

Please contact me if you have any questions.

Thank you.

  
Jeffrey A. Kremers, Chief Judge

JAK:bjs

File No.

Journal,

(ITEM NO.) From the Chief Judge, requesting permission to receive additional funding in the amount of \$60,843 from the State Department of Transportation for provision of services in the Wisconsin Community Services (WCS) Repeat Intoxicated Driver Intervention Program and to modify WCS' 2010 Repeat Intoxicated Driver Intervention Program Contract.

### **A RESOLUTION**

WHEREAS, The Milwaukee County Board of Supervisors adopted the 2010 budget on November 18, 2009, and approved by the County Executive, which included funding for alternatives to incarceration with contract responsibilities to include oversight and administration by the Chief Judge of Milwaukee County; and

WHEREAS, on February 5, 2010 the Chief Judge executed a professional services contract with Justice 2000 for the period of January 1, 2010 through December 31, 2010; and

WHEREAS, on June 8, 2010 Milwaukee County received from the State Department of Transportation a funding award notice that results in increased funding to the program for 2010 in the amount of \$60,843; therefore

BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby authorize the Chief Judge to receive additional grant funds in the amount of \$60,843 from the State Department of Transportation for services provided by WCS in the Repeat Intoxicated Driver Intervention Program and to modify WCS' Repeat Intoxicated Driver Intervention Program contract to reflect total 2010 expenditures not to exceed \$460,952.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** 7/06/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** WCS Repeat Intoxicated Driver Intervention Program Funding

**FISCAL EFFECT:**

- |   |  |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact   | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required   | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures<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	\$60,843	
	Revenue	\$60,843	
	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.

Increase of \$60,843 in operating expenditures in Org. Unit 2857, Alternatives to Incarceration, will be offset by an increase in operating revenue from the State Department of Transportation in the amount of \$60,843.

On June 8, 2010, Milwaukee County received notice of funding for the period of July 1, 2010-June 30, 2010 from the Wisconsin Department of Transportation for the WCS Repeat Intoxicated Driver Intervention Program. As a result of this award, 2010 operating expenditures in Org. Unit 2857, Alternatives to Incarceration will increase by \$60,843 to be offset by an increase in operating revenue in the amount of \$60,843 from the State Department of Transportation.

The 2010 WCS professional services contract for provision of services in this program shall be modified to reflect that total expenditures for this contract shall not exceed \$460,952.

Department/Prepared By Holly Szablewski/Deborah Bachun

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.



David A. Clarke, Jr.  
*Sheriff*

*County of Milwaukee*  
**Office of the Sheriff**

---

**Date:** June 21, 2010

**To:** Supervisor Lee Holloway, Chairman, Milwaukee County Board of Supervisors

**From:** Kevin A. Carr, Inspector, Office of the Sheriff, Milwaukee County

**Subject:** **Request to Execute a Contract with Dr. James Schreier to provide for a Recruitment and Retention Program for the Office of the Sheriff**

Pursuant to Milwaukee County Ordinance Chapter 56, the Sheriff is requesting referral to proper board committee for review and disposition, authorization to execute a Recruitment and Retention Program contract at the Milwaukee County Correctional Facilities Central and South.

### **Background**

The 2010 Adopted Budget for Office of the Sheriff included 541 authorized positions of Correctional Officer 1 and the Office of the Sheriff anticipates hiring approximately 70 new positions of Correctional Officer 1 during the next twelve months. In an attempt to recruit the highest quality personnel and retain those recruited along with existing employees, the Office of the Sheriff is developing a recruitment and retention program. Dr. James Schreier will develop the program for the Office of the Sheriff based on his experience having performed two audits for the DAS-Division of Human Resources.

Dr. Schreier shall perform all of the tasks and achieve the objectives set forth below:

- Detailed familiarization with Correction Officer 1 position including the training program/materials for the position

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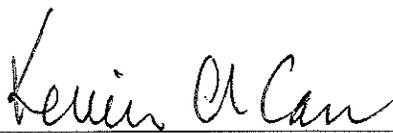
- Develop "Performance Profile" for position based on defining outstanding performance and an awareness of the environment in which the job is performed. The "Performance Profile" presents the position in a positive manner that supports "branding" of the organization and the position. It provides information applicable to recruiting, selection and retention.
- Develop improved "Candidate Qualifiers" for use in the online Ceridian Recruiting System (CRS).
- Develop "Expectations" for position that can be used in improved recruiting and selection of candidates, using principles of "realistic recruitment."
- Create alternative job announcements for use online, including principles of "realistic recruitment"
- Critique/rewrite current Interview

This contract is for a period of twelve months, July 1, 2010 to June 30 and the cost of the contract is not to exceed \$10,000.

### Recommendation

It is requested that the Milwaukee County Board of Supervisors approve the Sheriff's request to execute a contract to provide a recruitment and retention program for the Office of the Sheriff.

**Fiscal Note:** The estimated cost of the contract is \$10,000 and will be paid for by existing resources within the Office of the Sheriff 2010 Adopted Budget.



\_\_\_\_\_  
Kevin A. Carr, Inspector  
Milwaukee County Office of the Sheriff

cc: Scott Walker, County Executive  
Supervisor Willie Johnson, Jr., Chair, Judiciary, Safety & General Services  
Committee  
Jon Priebe, Public Safety Fiscal Administrator, Sheriff's Office  
Stephen Kreklow, Fiscal and Budget Administrator, DAS  
Molly Pahl, Fiscal Operations Manager

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Linda Durham, Committee Clerk  
Rick Ceschin, Research Analyst

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1  
2  
3 (ITEM ) From the Sheriff requesting authorization to execute a contract with Dr. James  
4 Schreier for a Recruitment and Retention Program at the Milwaukee County  
5 Correctional Facilities Central and South:

6 **A RESOLUTION**

7  
8 WHEREAS, the 2010 Adopted Budget for Office of the Sheriff included  
9 541 authorized positions of Correctional Officer 1 and the Office of the Sheriff  
10 anticipates hiring approximately 70 new positions of Correctional Officer 1 during the  
11 next twelve months; and

12  
13 WHEREAS, in an attempt to recruit the highest quality personnel and retain  
14 those recruited along with existing employees, the Office of the Sheriff is developing a  
15 recruitment and retention program; and

16  
17 WHEREAS, Dr. James Schreier will develop the program for the Office of the  
18 Sheriff based on his experience having performed two audits for the DAS-Division of  
19 Human Resources; and

20  
21 WHEREAS, Dr. Schreier shall perform all of the following tasks: detailed  
22 familiarization with Correction Officer 1 position including the training  
23 program/materials for the position; develop "Performance Profile" for position based on  
24 defining outstanding performance and an awareness of the environment in which the  
25 job is performed; develop improved "Candidate Qualifiers" for use in the online  
26 Ceridian Recruiting System (CRS); develop "Expectations" for position that can be used  
27 in improved recruiting and selection of candidates, using principles of "realistic  
28 recruitment"; create alternative job announcements for use online, including principles  
29 of "realistic recruitment" and critique/rewrite current Interview; and

30  
31 WHEREAS, this contract is for a period of twelve months, July 1, 2010 to June 30  
32 and the cost of the contract is not to exceed \$10,000; now, therefore,

33  
34 BE IT RESOLVED, the Office of the Sheriff is authorized to execute a contract  
35 with Dr. James Schreier for the development of a Recruitment and Retention Program at  
36 the Milwaukee County Correctional Facilities Central and South.

37 **FISCAL NOTE**

38 The estimated cost of the contract is \$10,000 and will be paid for by existing resources  
39 within the Office of the Sheriff 2010 Adopted Budget.

## MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 6/24/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Authorization to execute a contract with Dr. James Schreier for a Recruitment and Retention Program at the Milwaukee County Correctional Facilities Central and South.

**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	10,000	
	Revenue	0	
	Net Cost	10,000	
<b>Capital Improvement Budget</b>	Expenditure		
	Revenue		
	Net Cost		

## DESCRIPTION OF FISCAL EFFECT

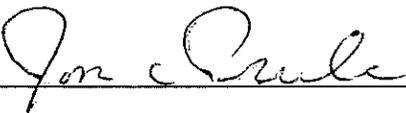
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- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated 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.

In an attempt to recruit the highest quality personnel and retain those recruited along with existing employees, the Office of the Sheriff is developing a recruitment and retention program. Dr. James Schreier will develop the program for the Office of the Sheriff based on his experience having performed two audits for the DAS-Division of Human Resources. This contract is for a period of twelve months, July 1, 2010 to June 30, 2011 and the cost of the contract is not to exceed \$10,000. The contract will be paid for by existing resources within the Office of the Sheriff 2010 Adopted Budget.

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.



David A. Clarke, Jr.  
Sheriff

County of Milwaukee  
**Office of the Sheriff**

---

**Date:** June 28, 2010

**To:** Supervisor Lee Holloway, Chairman, Milwaukee County Board of Supervisors

**From:** Kevin A. Carr, Inspector

**Subject:** **Request to Execute a Contract with Information Builder to provide for a Business Intelligence software system for the Office of the Sheriff**

Pursuant to Milwaukee County Ordinance Chapter 56, the Sheriff is requesting referral to proper board committee for review and disposition, authorization to execute an inmate transportation contract at the Milwaukee County Correctional Facilities Central and South.

### **Background**

Law enforcement organizations around the world are starting to realize the value of Business Intelligence for helping fight crime and increase public safety. The systems and processes used by the Sheriff's Office produce vast amounts of data. Information is one of the most valuable commodities in an organization, and a BI tool transforms this raw data into valuable information.

As public safety organizations are faced with limited budgets and personnel, increased service demands, and staggering increases in available information, new tools and different approaches to analysis are required. The challenge is to collect and efficiently deliver timely information to those who need it, in a format they can use to make actionable decisions.

The Milwaukee County Sheriff's Office made the decision to implement a Business Intelligence solution in order to increase its effectiveness and to focus on the mission of our agency. Today that implementation utilizes Excel worksheets, which are manually

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populated and are reviewed monthly. This approach is very labor intensive and does not allow for the flexibility to drill down into the data and this static approach severely limits analytical capabilities.

Our office maintains numerous data stores, in multiple formats, most of which are not integrated or easily accessible without technical assistance or manual involvement. Currently command staff spends too much of their valuable time manually collecting and summarizing data into spreadsheets. This hampers their availability to analyze the data in order to make proactive and informed decisions.

The Sheriff and Command staff recognizes the need to implement an automated streamlined process so they can invest more time acting on accurate information, monitor trends, and more effectively manage staff and resources.

The desire is to put an analysis and trending reporting solution in place that is easy to use by law enforcement staff and has the ability to answer questions within a few clicks of a mouse. This solution needs to consolidate data from multiple data sources and present a consolidated view of this information with the capability to drill down into the data during their analysis.

To meet this need, Milwaukee County solicited proposals to implement a business intelligence reporting solution to assist the Sheriff's Office in gaining valuable insight into the Hard and Soft data collected through their existing systems and manual processes.

On March 12, 2010 the request for proposals was released. Proposals were due on April 21. An evaluation committee reviewed the proposals. The Sheriff's Office received four proposals in response to the RFP. The evaluation committee reviewed and scored the proposals. Information Builder was selected by the evaluation committee and negotiations began between Milwaukee County's Sheriff's Office and Information Builder. The Sheriff is anticipating entering into a contract with the successful vendor by August 1, 2010 pending board approval.

The Sheriff intends to fund the contract through the use of Edward Byrne Memorial Justice Assistance Grant (JAG). An appropriation transfer will be submitted in the July cycle to the Finance and Audit Committee to recognize the revenue and establish expenditure authority.

Information Builder has included a DBE portion with their bid that is a minimum of 17% of the contract with the possibility of increasing to 22%.

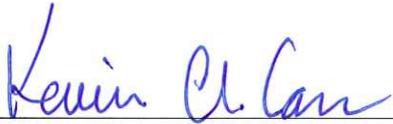
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## Recommendation

It is requested that the Milwaukee County Board of Supervisors approve the Sheriff's request to execute a contract with Information Builder to provide a Business Intelligence software system for the Office of the Sheriff.

**Fiscal Note:** The estimated cost of the contract is \$779,235 and will be fully offset with the use of Edward Byrne Memorial Justice Assistance Grant (JAG) funds.



Kevin A. Carr, Inspector  
Milwaukee County Office of the Sheriff

cc: Scott Walker, County Executive  
Supervisor Willie Johnson, Jr., Chair, Judiciary, Safety & General Services  
Committee  
Jon Priebe, Public Safety Fiscal Administrator, Sheriff's Office  
Stephen Kreklow, Fiscal and Budget Administrator, DAS  
Molly Pahl, Fiscal Operations Manager  
Linda Durham, Committee Clerk  
Rick Ceschin, Research Analyst

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(ITEM ) From the Sheriff requesting authorization to execute a contract with Information Builder to provide a Business Intelligence software system for the office of the Sheriff:

A RESOLUTION

WHEREAS, law enforcement organizations around the world are starting to realize the value of Business Intelligence for helping fight crime and increase public safety and the systems and processes used by the Sheriff's Office produce vast amounts of data and information is one of the most valuable commodities in an organization, and a BI tool transforms this raw data into valuable information; and

WHEREAS, the Milwaukee County Sheriff's Office made the decision to implement a Business Intelligence solution in order to increase its effectiveness and to focus on the mission of our agency; and

WHEREAS, the Sheriff and Command staff recognizes the need to implement an automated streamlined process so they can invest more time acting on accurate information, monitor trends, and more effectively manage staff and resources; and

WHEREAS, the desire is to put an analysis and trending reporting solution in place that is easy to use by law enforcement staff and has the ability to answer questions within a few clicks of a mouse and this solution needs to consolidate data from multiple data sources and present a consolidated view of this information with the capability to drill down into the data during their analysis; and

WHEREAS, to meet this need, Milwaukee County solicited proposals to implement a business intelligence reporting solution to assist the Sheriff's Office in gaining valuable insight into the Hard and Soft data collected through their existing systems and manual processes; and

WHEREAS, on March 12, 2010 the request for proposals was released and proposals were due on April 21 and an evaluation committee reviewed the proposals and Information Builder was selected by the evaluation committee and negotiations began between Milwaukee County's Sheriff's Office and Information Builder and the Sheriff is anticipating entering into a contract with the successful vendor by August 1, 2010 pending board approval; and

WHEREAS, the Sheriff intends to fund the contract through the use of Edward Byrne Memorial Justice Assistance Grant (JAG) and an appropriation transfer will be submitted in the July cycle to the Finance and Audit Committee to recognize the revenue and establish expenditure authority; and

WHEREAS, Information Builder has included a DBE portion with their bid that is a minimum of 17% of the contract with the possibility of increasing to 22%; now, therefore,

42 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
43 authorizes the Sheriff to execute a contract with Information Builder to provide a  
44 Business Intelligence software system for the Office of the Sheriff; and

45 **FISCAL NOTE**

46 The estimated cost of the contract is \$779,235 and will be fully offset with the  
47 use of Edward Byrne Memorial Justice Assistance Grant (JAG) funds.

**MILWAUKEE COUNTY FISCAL NOTE FORM**

**DATE:** 6/29/10

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Authorization to execute a contract with Information Builder for a business intelligence software system for the Office of the Sheriff.

**FISCAL EFFECT:**

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

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

	<b>Expenditure or Revenue Category</b>	<b>Current Year</b>	<b>Subsequent Year</b>
<b>Operating Budget</b>	Expenditure	779,235	
	Revenue	779,235	
	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.

The Sheriff is requesting authorization to execute a contract with Information Builder for a business intelligence software system for the Office of the Sheriff. The estimated cost of the contract is \$779,235 and will be fully offset with the use of Edward Byrne Memorial Justice Assistance Grant (JAG) funds.

Department/Prepared By Molly Pahl, Fiscal Operations Manager

Authorized Signature

Kevin A. Carr

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.



Voces de la Frontera  
 1027 S. 5<sup>th</sup> Street  
 Milwaukee, WI 53204

Ph: 414-643-1620  
 Fx: 414-643-1621

June 28, 2010

Chairman Lee Holloway  
 Milwaukee County Board of Supervisors  
 Milwaukee County Courthouse  
 901 North 9th Street, Rm. 201  
 Milwaukee, WI 53233

- CC: Supervisor Willie Johnson, Jr.  
 Supervisor Lynne De Bruin  
 Supervisor Paul Cesarz  
 Supervisor Gerry Broderick  
 Supervisor Patricia Jursik  
 Supervisor Chris Larson  
 Supervisor Joe Sanfelippo  
 Senator Russ Feingold  
 Senator Herb Kohl  
 Congresswoman Gwen Moore

Re: Investigation Related to Milwaukee County Sheriff's Department Collaboration with Immigration Enforcement

Dear Chairman Holloway:

We are writing to you today as part of an immigration and racial profiling taskforce formed by individuals and community organizations including the Milwaukee Commission on Community Police Relations, Immigration and Racial Profiling Task Force, which includes the NAACP, Islamic Society, Spanish Center, and Sherman Park Community Association, concerned about the dangerous impact current immigration enforcement has in Milwaukee County. In the past few years, we have seen a disturbing trend of escalated arrests of non-criminal immigrants who, through collaboration of local law enforcement agencies and Immigration and Customs Enforcement (ICE), end up in deportation proceedings. As a low-wage and immigrant worker center, Voces de la Frontera has documented dozens of cases in the past twelve months in which immigrants, arrested for traffic violations or crimes for which they were later found innocent, are now facing deportation. We have also seen an escalation in violations of civil and labor rights as well as racial profiling; of which people of legal immigration status have frequently been victims.

We write to you to urgently request that you initiate an immediate formal investigation of the collaboration between the Department of Homeland Security, specifically but not limited to ICE, and the Milwaukee County Sheriff's Department. We wish our request to be placed on the agenda of the Judiciary, Safety, and General Services Committee meeting on July 15<sup>th</sup>. Presently, two of our top concerns are the lack of accountability and transparency of the Criminal Alien Program and our strong opposition to the proposed establishment of the Secure Communities Program. Nationally, both these programs, and 287(g) agreements have been challenged locally in other communities because of a disturbing record of civil and labor rights violations and deportations of non-criminal offenders. We are sharing this information with our federal elected representatives as these programs are not being implemented in alignment with the Obama administration's publically stated priorities for smart enforcement that uses limited resources to target individuals who are a danger to our community.

We are requesting that this be included as an agenda item at the next Judiciary, Safety, and General Services Committee meeting and look forward to collaborating with you on this urgent matter. Please follow up with myself or Jill Vonnahme at (414) 643-1620 x 208.

Sincerely,



Christine Neumann-Ortiz,  
Executive Director



OFFICE OF CORPORATION COUNSEL

## *Milwaukee County*

8

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:** July 6, 2010

**TO:** Mr. Lee Holloway, Chairman  
Milwaukee County Board of Supervisors

**FROM:** Robert E. Andrews, Deputy Corporation Counsel

**SUBJECT:** Claim filed by: Randy Slagle  
Fond Du Lac, WI  
Date Claim Filed: March 24, 2010

On March 3, 2010, Randy Slagle was booked into CCF-C. Later that same day he was transferred to CCF-S. Five days later Mr. Slagle was transferred back to CCF-C and then released. During his time of transfer from CCF-C to CCF-S Mr. Slagle could not keep his upper partial from falling out. Correction Officers handling the transport requested that Mr. Slagle turn over his inhaler and upper partials. The policy is to not allow inmates to hold anything in their hands while being transported.

At the time of Mr. Slagle's release the inhaler was returned to him. However, the upper partials could not be located. An investigation has confirmed that the upper partials came into the possession of the county but were not returned. The county's adjustor has concluded a bailment was created which imposes liability on the county for the loss. Mr. Slagle has filed a claim with the county seeking \$2,026 to replace the upper dentures. The adjustor is of the opinion that the amount of the claim is reasonable and necessary. The adjustor is recommending the payment of \$2,026 to Randy Slagle in full settlement of any and all claims. Corporation Counsel supports this recommendation.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. Thank you. Corporation Counsel will also recommend settlement.

---

REA/rf

cc: Linda Durham  
Jennifer Mueller  
Barb Pariseau



OFFICE OF CORPORATION COUNSEL

## *Milwaukee County*

TIMOTHY R. SCHOEWE  
Acting Corporation Counsel

9

ROBERT E. ANDREWS  
Deputy Corporation Counsel

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

**DATE:** July 6, 2010

**TO:** Mr. Lee Holloway, Chairman  
Milwaukee County Board of Supervisors

**FROM:** Robert E. Andrews, Deputy Corporation Counsel

**SUBJECT:** Claim filed by: Cele Stepke  
1221 E. Bywater Lane  
Fox Point, WI  
Date Claim Filed: March 9, 2010

Ms. Cele Stepke owns the building at 1210 E. Potter Avenue in Bay View. The building is occupied by a company named Piedmont Property Corporation. Located at this address are two garages that abut Hwy 794.

On January 8, 2010, a county truck engaged in a snow removal operation threw snow over the wall between the highway and the two garages. One of the garages incurred significant damage to its structure and doors.

This is an on-going problem of which the Highway Department is aware. The plow operators have been instructed to lower the speed of their trucks as they pass along side the subject property.

Ms. Stepke submitted two estimates for the replacement of the garage. Both estimates were in excess of \$16,000. The county's adjustor took the position that the true measure of damages was the loss of value of the garage. He determined that amount to be \$3,150. After substantial negotiations with Ms. Stepke she agreed to accept that amount in settlement of her claim.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. At that time Corporation Counsel will appear to recommend the payment of \$3,150 to Cele Stepke in full settlement of all claims arising out of damages caused by county plows. Thank you.

---

REA/rf

cc: Linda Durham  
Jennifer Mueller  
Barb Pariseau



OFFICE OF CORPORATION COUNSEL

*Milwaukee County*TIMOTHY R. SCHOEWE  
Acting Corporation CounselROBERT E. ANDREWS  
Deputy Corporation CounselJOHN F. JORGENSEN  
MARK A. GRADY  
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JEANEEN J. DEHRING  
ROY L. WILLIAMS  
COLLEEN A. FOLEY  
LEE R. JONES  
MOLLY J. ZILLIG  
Principal Assistant  
Corporation Counsel

**DATE:** July 6, 2010

**TO:** Mr. Lee Holloway, Chairman  
Milwaukee County Board of Supervisors

**FROM:** Robert E. Andrews, Deputy Corporation Counsel

**SUBJECT:** Kaitlin Woods Condominium Association, Inc.  
Tax Key No. 848-0401-000

In 2009 the Office of the Milwaukee County Treasurer foreclosed on a number of properties which had become substantially delinquent in the failure to pay property taxes. One of those properties is located at 9164 W. Elm Court, Unit B in the City of Franklin. The property is known as the Kaitlin Woods Condominiums. The delinquent taxes on this property thru July 2010 including penalty and interest are \$35,528.95.

At the time of the commencement of the foreclosure action, the property was owned by the developer of the condominium project. However, the developer failed to pay its portion of the maintenance fees which caused the condominium association to foreclose on the developer's interest in the property. The County did not become aware of the change in ownership until after the petition for foreclosure had been filed. And the Association was also unaware of the County's foreclosure action until after it had occurred.

The Association has now approached the County and offered to pay in full all delinquent taxes including penalty and interest. In addition, the Association has pledged to make the County whole for any costs the County has incurred after the foreclosure. In exchange the County would provide the Association with a Quit Claim Deed to the foreclosed condominium unit.

Because the County is made whole both in delinquent taxes and costs and the property is returned to the owner this proposal has the support of the Office of Corporation Counsel and the County Treasurer.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. At that time Corporation Counsel will request that Milwaukee County approve the acceptance of the payment of all delinquent taxes through 2009 and the full payment of costs incurred by the County in exchange for a Quit Claim Deed from the County to the Kaitlin Woods Condominium Association, Inc. for the property located at 9164 W. Elm Court, Unit B in the City of Franklin. The delinquent taxes through July 31, 2010 for the years 2009 and before are \$35,528.95. Added to that amount would be a reimbursement to the County of its expenses on this property for a total payment of \$40,000 if payable by July 31, 2010. Thank you.

---

 REA/rf

cc: Linda Durham  
Jennifer Mueller  
Barb Pariseau

## RESOLUTION

Re: Kaitlin Woods Condominium Association, Inc.  
Tax Key No. 848-0401-000

WHEREAS, in 2009 the office of the Milwaukee County Treasurer moved to foreclose on a number of properties due to the failure to pay property taxes and one of those properties was a condominium located at 9164 W. Elm Court, Unit B in the City of Franklin which is more commonly known as the Kaitlin Woods Condominium, and,

WHEREAS, at the time of the filing of the foreclosure petition the county was informed the developer of the project was the owner of the subject project property, and,

WHEREAS, the Kailin Woods Condominium Association foreclosed on the subject property due to the failure of the developer to pay its share of the maintenance fees, but due to the timing of the foreclosure the Association was not aware of the county's action, and,

WHEREAS, the Association has come forward and has offered to pay all delinquent property taxes including penalty and interest (\$35,528.95 through July 2010) and reimburse Milwaukee County for any expenses it has incurred as a result of the foreclosure for a total payment of \$40,000 if paid by July 31, 2010, and,

WHEREAS, in exchange Milwaukee County will convey the subject property to Kaitlin Woods Condominium Association, Inc. via a Quit Claim Deed, and,

WHEREAS, the Office of Corporation Counsel and the County Treasurer recommend the approval of this agreement, and,

WHEREAS, the Committee on Judiciary, Safety and General Services at its meeting on July 15, 2010 voted (\_\_\_\_\_) to approve the resolution; now, therefore,

BE IT RESOLVED, that Milwaukee County Board of Supervisors approves the receipt of all delinquent taxes for 2009 and before on the property at 9164 W. Elm Court, Unit B in the City of Franklin and the reimbursement of all costs incurred by the county for a total payment of \$40,000 if paid by July 31, 2010 in exchange for the county providing the Condominium Association with a Quit Claim Deed for said property.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** 7/6/2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Redemption of property at 9164 W. Elm Ct., Unit B, City of Franklin

**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	40,000	0
	Net Cost	-40,000	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 this Resolution will result in Milwaukee County being paid \$40,000.

The County Treasurer will receive \$35,528.95. Of that amount, \$20,628.41 will be to reimburse the Treasurer for the delinquent taxes paid to the City of Franklin by the Treasurer on the subject property and \$14,900.54 for the penalty and interest on the delinquent taxes. Both of these amounts have been budgeted for the Treasurer this year. The remaining \$4,471.05 will go to Real Estate Services for reimbursement of its expenses and for staff time on the property. This amount has been budgeted by Real Estate Services for this year.

Department/Prepared By Corporation Counsel

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

Did DAS-Fiscal Staff Review?  Yes  No

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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.



OFFICE OF CORPORATION COUNSEL

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LEE R. JONES  
MOLLY J. ZILLIG  
Principal Assistant  
Corporation Counsel

**DATE:** July 6, 2010

**TO:** Mr. Lee Holloway, Chairman  
Milwaukee County Board of Supervisors

**FROM:** Robert E. Andrews, Deputy Corporation Counsel

**SUBJECT:** Claim filed by: Milwaukee County Transit  
Date Claim Filed: May 11, 2010

On November 10, 2009, Milwaukee County Highway employee Glen Haase was backing a county truck loaded with salt into the Milwaukee County Transit Station at North 13<sup>th</sup> Street and West Walnut. While doing so, the county truck struck a support beam which damaged a part of the loading dock. As this was a structural problem it was necessary to remove and replace the metal frame and rebuild the corner of the loading dock. The cost for replacement and repair was \$9,300. Our adjustor has determined that this amount is fair and reasonable and recommends payment. Corporation Counsel agrees.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. At that time Corporation Counsel will appear to recommend the payment of \$9,300 in full settlement of this claim. Thank you.

---

 REA/rf

cc: Linda Durham  
Jennifer Mueller  
Barb Pariseau

**RESOLUTION**

Re: Claim filed by: Milwaukee County Transit  
Date Claim Filed: May 11, 2010

WHEREAS, on November 10, 2009 Milwaukee County Highway employee Glen Haase while backing a truck at the Milwaukee County Transit Station struck and damaged a support beam and loading dock, and,

WHEREAS, the cost to repair and replace the damaged structure was \$9,300 which was determined to be reasonable and necessary by the county's adjustor, and Corporation Counsel agrees, and,

WHEREAS, the Committee on Judiciary, Safety and General Services at its meeting on July 15, 2010 voted (\_\_\_\_\_) to approve the settlement; and now, therefore,

BE IT RESOLVED, that Milwaukee County approves the payment of \$9,300 as settlement in full of all claims arising out of the November 10, 2009 motor vehicle accident.

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** July 6, 2010

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** Claim filed by Milwaukee County Transit (dol: 11/10/2009)

**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 this Resolution will result in the amount of \$9,300 being applied to Milwaukee County's 2009 deductible with Wisconsin County Mutual Insurance Corporation.

Department/Prepared By Corporation Counsel

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.