

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: June 6, 2016

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution from Corporation Counsel recommending the filing of an appeal in the matter of Milwaukee District Council 48 vs Milwaukee County (case number 11CV16826).

FISCAL EFFECT:

No Direct County Fiscal Impact

Existing Staff Time Required

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

Absorbed Within Agency's Budget

Not Absorbed Within Agency's Budget

Decrease Operating Expenditures

Increase Operating Revenues

Decrease Operating Revenues

Increase Capital Expenditures

Decrease Capital Expenditures

Increase Capital Revenues

Decrease Capital Revenues

Use of contingent funds

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

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

DESCRIPTION OF FISCAL EFFECT

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

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
 - A. Corporation Counsel requests authorization to appeal a trial court ruling in *Milwaukee County District Council 48 vs Milwaukee County* to the Wisconsin Court of Appeals. Milwaukee County General Ordinance (MCGO) 1.28(1) requires referral to the Committee on Judiciary, Safety and General Services for a recommendation prior to authorization and approval by the Milwaukee County Board of Supervisors. On June 3, 2016, Corporation Counsel filed a Motion to Stay Execution of Judgment Pending Appeal. (A Notice of Appeal must be filed within 45 days of the decision (on or before July 11, 2016).
 - B. The Wisconsin County Mutual Insurance Corporation ("the Mutual") will defend Milwaukee County in its appeal, therefore there will be no costs to the County in the defense of this action at the appellate level. Some staff time will be necessary to help file the appeal. Appropriations for staff time have already been included in the Corporation Counsel's 2016 Adopted Budget.
 - C. Approval of this resolution does not result in any additional impact to the 2016 Budget.
 - D. No assumptions were made.

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

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

_Department/Prepared By Corporation Counsel

Authorized Signature 

Did DAS-Fiscal Staff Review? Yes X No

Did CDBP Review?² Yes No X Not Required