

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** September 8, 2015

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** A resolution to authorize the amendment of a professional services contract and to authorize the initiation of an action related to Chapter 59, Chapter 63, Chapter 66 and other sections of the Wisconsin State Statutes, as affected by 2013 Wis. Act 14 and 2015 Wis. Act 55

**FISCAL EFFECT:**

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

	Expenditure or Revenue Category	Current Year	Subsequent Year
<b>Operating Budget</b>	Expenditure	\$150,000	\$0
	Revenue	\$0	\$0
	Net Cost	\$150,000	\$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.

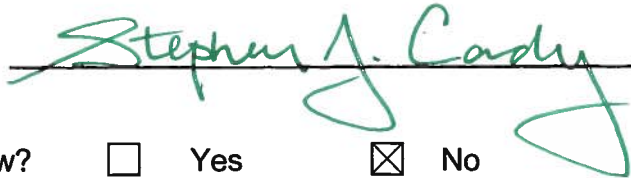
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
  - B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current 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.
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- A. Approval of this resolution will authorize a professional services contract with Cullen Weston Pines and Bach, LLC, in an amount of \$150,000 retroactive to August 7, 2015. The resolution also states that pursuant to §1.11(c)(3), MCGO, the Board authorizes the initiation of an action to declare the rights and powers of the Board and the Executive under Chapter 59, Chapter 63, Chapter 66 and other sections of the Wisconsin State Statutes, as affected by 2013 Wis. Act 14 and 2015 Wis. Act. 55, at such time as the Chairperson of the Board deems appropriate, with the advice of counsel.
  - B. Approval of this resolution would authorize \$150,000 in expenditure authority from Org. Unit. 1940 – Litigation Reserve. This account is typically used to retain outside legal counsel services.
  - C. At the time this fiscal note was prepared, the Litigation Reserve had an available balance of \$318,108. However, Corporation Counsel has commitments to use \$155,000 of this amount on other legal matters. (Two of which are pending review by the CB in the September cycle and one to be executed by the Corporation Counsel.) This would leave an available balance of approximately \$163,108. This would provide sufficient funds to cover the \$150,000 in expenditure authority contained in this resolution.
  - D. No assumptions were made.

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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.

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

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

Authorized Signature 

Did DAS-Fiscal Staff Review?  Yes  No

Did CBDP Review?<sup>2</sup>  Yes  No  Not Required