

## MILWAUKEE COUNTY FISCAL NOTE FORM

**DATE:** March 14, 2016

Original Fiscal Note

Substitute Fiscal Note

**SUBJECT:** A resolution/ordinance authorizing 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 Wisconsin Act 14 and 2015 Wisconsin Act 55, and amending Chapter 1 of the Milwaukee County Code of General Ordinances to create the legal mechanism by which the Chairperson can enforce and defend the legal rights of the County Board

**FISCAL EFFECT:**

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

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

## DESCRIPTION OF FISCAL EFFECT

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

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

- A. Approval of this resolution/ordinance pursuant to Section 1.11 of the Milwaukee County Code of General Ordinances, the County Board authorizes the initiation of an action by the Chairperson and the County Board to declare the rights and powers of the County Board and the Milwaukee County Executive related to Chapter 59, Chapter 63, Chapter 66 and other sections of the Wisconsin State Statutes, as affected by 2013 Wisconsin Act 14 and 2015 Wisconsin Act 55, at such time as the Chairperson of the County Board deems appropriate, with the advice of counsel. This resolution/ordinance also amends Chapter 1 of the Milwaukee County General Ordinances to add language to permit the Committee on Judiciary, Safety, and General Services to approve, subject to full Board approval, the initiation of all actions for declaratory, injunctive, or other extraordinary relief or remedy seeking to preserve, enforce, and the defend the legal rights and status of the Board in relation to other branches of County Government or elected County officials. The Board may also delegate the authority to the Board Chairperson on behalf of the Board.
- B. Approval of this resolution will not require an expenditure of funds, but will require existing staff time to publish. Any action taken under this authority may require the expenditure of funds for legal counsel. The amount would be dependent on the scope of the services provided. It should be noted that County Board File No. 15-622, adopted September 24, 2015, authorized \$150,000 for outside legal services related to this matter. Those funds were encumbered and no bills have been submitted to reduce that amount.
- C. Adoption of this resolution/ordinance will not have a budgetary impact in the current year or future years. It should be noted that if additional funds for legal services were required, a

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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.

separate request would be submitted to the County Board for review and approval.

D. No assumptions were used.

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

Authorized Signature

Stephany J. Cady

Did DAS-Fiscal Staff Review?  Yes  No

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