

FINANCE & PERSONNEL COMMITTEE
CONTINGENT FUND REQUEST INFORMATION FORM

DEPT.: City Attorney, Assessor CONTACT PERSON & PHONE NO.: Vince Moschella 286-2601, Mary Reavey 286-3101

A. REASON FOR REQUEST (Refer to File 921360 for definitions)

CHECK ONE: EMERGENCY CIRCUMSTANCES
 OBLIGATORY CIRCUMSTANCES
 FISCAL ADVANTAGE/COMPLIANCE WITH FISCAL MANAGEMENT PRINCIPALS

B. SUPPORTING INFORMATION

1. State the action requested, including the dollar amount and specific departmental accounts(s) to which the Contingent Fund appropriation would be made.

Request \$174,647.95 appropriation to the Remission of Taxes Special Purpose Account.

2. State the purpose of the action requested which includes the program, service or activity to be supported by the funding, as well as the objective(s) to be accomplished.

The purpose is payment as part of a settlement between the City of Milwaukee and the owners of Metropolitan Associates, Granville Holding, and Northland Apartments for 2006, 2007, and 2008 assessments.

3. Describe the circumstances which prompt the request.

The request is being made due to insufficient funds remaining in the 2009 Remission of Taxes Fund to cover the amount of settlement, due to required remissions from the Board of Review that were appropriated in file 081054.

4. What are the consequences of not providing the program, service, or activity which is funded by this request?

The City will not meet the legal obligations of the settlement, and risks higher costs if legal proceedings continue in this case.

5. Explain why funds authorized in the Budget are insufficient to provide for the program, service, or activity in question.

Usage of the Remission of Taxes fund has been greater than anticipated in 2009, and the outcome of this case was unknown at the time of the fund's budget request. Recent court decisions on 74.37 cases have also led to unforeseen expenditures in remissions.

- 5a. Are there any unexpended funds in the departmental control account for which this appropriation is requested, that could be used to fund this request?

Nothing that would not severely impact regular Assessor services.

5b. What are the consequences of using budgeted operating funds for this request?

Reduction in Assessor services and staff, possibly leading to more remissions and lower City revenue.

6. State why funding was not included in the Budget.

Outcome of court cases were not known at the time of the budget adoption. Settlement reached January 2009.

7. Will the conditions prompting the request be limited to the current year, or will they continue into the following year?

This settlement limits exposure to the City in these cases to the 2009 fiscal year.

8. Has your department made a similar Contingent Fund request in previous years? YES NO

*If yes, what is the most recent year the request was made?

Earlier this year to settle Walgreen's case (file 081161).

9. Will this funding be used to implement provisions of a collective bargaining agreement? YES NO

10. Will the funding being requested provide a level of service authorized by the Budget? YES NO

*If yes, why can't your department accomplish the authorized service level with the authorized funding level?

Amount is above appropriation of \$1 million.

11. Will the requested funding provide a level of service higher than that authorized by the Budget? YES NO

*If yes, why is a higher service level necessary?

*What is the estimated amount of additional service units to be provided if the entire Contingent Fund request is approved?

Not applicable.

12. What performance measures and sub-measures are affected by this request, and what are the anticipated changes if the entire Contingent Fund request is approved?

Reduced exposure to Remission of Taxes Fund and Common Council Contingent Fund for 2009 as well as future years.

13. What reductions to performance measures are expected if the request is not approved?

Further exposure to court costs and possible higher expenses that would have to be paid in relation to these cases.

14. Is any grant funding associated with the program service, or activity pertaining to the request? YES NO

*If yes, name the grant and current year amount.

15. Will the program, service, or activity affect any electronic data processing system?

YES NO

The following questions only apply to Contingent Fund requests which transfer appropriations into capital purpose accounts:

16. Does this request transfer an appropriation into a capital purpose subaccount?

YES NO

*If yes, are similar projects planned and funding available in a capital purpose (parent) account for the current year?

17. Why is the project for which Contingent Funds are requested more important than other similar projects?

18. Does this request fund a project outside the normal order of planned projects of a kind which are funded through a capital purpose (parent) account for the current year?

YES NO

*If yes, what is the consequence of deferring the lowest priority planned project until next year?

19. Was this project included in the Department's Budget request?

YES NO

*If not, why not?