

DRAFT - CMD Suggestions

..Number

081215

..Version

PROPOSED SUBSTITUTE **B**

..Reference

080956

..Sponsor

ALD. BOHL, BAUMAN, DONOVAN, ZIELINSKI, KOVAC, DUDZIK, MURPHY
AND WITKOWIAK

..Title

A substitute ordinance establishing a capital improvements committee.

..Sections

320-49 cr

..Analysis

This ordinance creates a capital improvements committee to develop, maintain, and update a long-term capital improvements program for the city's construction and maintenance of its infrastructure and facilities. The 7-person committee shall consist of the commissioner of public works, the department of administration budget and management director, the comptroller, the chairs of the public works and finance and personnel committees, a common council member appointed by the common council president and a public member, ~~also~~ appointed by the mayor~~common council president~~. The committee shall evaluate individual city departmental capital improvement recommendations for construction and maintenance of infrastructure and facilities and prepare, on an annual basis, a 6-year capital improvements program based on city priorities and objectives.

Concurrently, the committee shall also prepare a report describing the condition of the city's infrastructure networks and facilities and the adequacy of effort made to preserve such infrastructure and facilities and eliminate any deferred capital maintenance. Based on these reports, the committee shall submit to the department of administration budget and management division, not later than the 2nd Tuesday in May annually, a capital improvements budget for construction and maintenance of infrastructure and facilities for the ensuing fiscal year, and prepare quarterly progress reports, based on the capital improvements program contained in the annual budget, for submission to the common council.

..Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 320-49 of the code is created to read:

320-49. Capital Improvements Committee.

1. ESTABLISHMENT. There is created the capital improvements committee to develop, maintain and update a long-term capital improvements program for the city's construction and maintenance of its infrastructure and facilities.

- 2. COMPOSITION.** a. The committee shall be comprised of the following members:
- a-1. The commissioner of public works or alternate.
 - a-2. The department of administration budget and management director or alternate.
 - a-3. The comptroller or alternate.
 - a-4. The chair of the public works committee or alternate.
 - a-5. The chair of the finance and personnel committee or alternate.
 - a-6. The common council president or alternate.
 - a-7. A public member appointed by the mayor ~~common council president~~ for a 3-year term and confirmed by the common council.
- b. The commissioner of public works or alternate shall serve as chair of the committee.

3. DUTIES. The committee shall:

- a. Develop a prioritized 6-year capital improvements program based on anticipated construction and maintenance of infrastructure and facilities for all departments under control of the common council. Following development, this 6-year capital improvements program shall be reviewed and adopted, with any modifications, by the common council in conjunction with adoption of the annual budget.
- b. Establish criteria upon which a determination as to the priority of each capital program or project for the construction and maintenance of infrastructure and facilities may be based to include, but not be limited to:
 - b-1. The effect of a program or project on the achievement of any strategic objective that the mayor has submitted to the capital improvements committee for its consideration.
 - b-2. The interrelationship of each capital program with other capital programs.
 - b-3. The effect of each project on replacement cycles, condition ratings, operating and maintenance expenses, and other indicators of infrastructure system performance.
 - b-4. Each project's relationship to the city's "smart growth" plan pursuant to s. 16.965(4), Wis. Stats., and any area or other development plans that the common council has approved, with emphasis upon the 6-year capital improvements program.
 - b-5. The capacity of a program's or project's funding level to fit within funding and debt service targets, as determined by the committee.
- c. Establish a priority for each project within the program based upon the established criteria.
- d. Secure supporting data and justification for proposed projects, arrive at accurate cost estimates and secure from city departments a list of services and facilities and a projection of operating costs related to each construction project.
- e. Monitor completion of the capital improvements program as contained in the annual budget.

- 4. REPORTS.** a. By February 1 annually, the committee shall:

a-1: Submit to the common council for its information the 6-year program and its total estimated construction and maintenance costs, the effect of the total costs upon estimated annual tax levies and debt service for each year of the program, and recommendations concerning financing of the program.

a-2: Prepare a report describing the condition of the city's infrastructure and facilities and the adequacy of the effort level made by the city to preserve such infrastructure and facilities and eliminate any deferred capital maintenance. Infrastructure networks and facilities comprising this report shall include the following systems: city sewerage, storm water management, streets, street lights, traffic control, underground conduit and wired communications, water treatment and distribution, city buildings, bridges, alleys, sidewalks, parking, harbor and urban forestry. Information provided shall include replacement cycles, condition ratings, operating and maintenance expenses, and other appropriate quantitative measures of condition.

b. Based on capital budget recommendations submitted by city departments and within such guidelines as may be established from time to time by the common council, submit to the department of administration budget and management division, on forms prescribed by the Division, a requested capital improvements budget, including financing, for the construction and maintenance of infrastructure and facilities for the ensuing fiscal year not later than the 2nd Tuesday in May of each year, such request to be acted upon as are requests for all other parts of the total budget under control of the common council. This requested capital improvements budget shall be accompanied by narrative explaining how and to what extent this capital budget serves to implement the 6-year capital improvements program.

c. Prepare semi-annual quarterly progress reports, with emphasis on the status of large scale capital projects as determined pursuant to Resolution File Number 061597, and other projects as determined by the committee, in relation to their predetermined construction schedule and estimated costs, for submission to the common council.

5. STAFFING. Staff for the capital improvements committee shall be provided by the capital improvements administration, headed by a program coordinator in the Department of Public Works who shall be selected by the committee under applicable city service rules, and operate under the administrative direction of the committee. Salaries and fringe benefits required for the capital improvements administration, ~~along with supporting supplies, equipment and administrative costs~~ shall be provided annually out of capital improvement funds. All city departments and agencies shall cooperate with the committee and provide assistance whenever the committee so requests.

..LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

..Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

..Requestor

..Drafter

LRB08565-5

MST

2/16/09