



AGENDA OF THE FINANCE COMMITTEE

**TUESDAY, JANUARY 8, 2019, 4:30 PM
CITY HALL, ROOM 207
IMMEDIATELY FOLLOWING PERSONNEL**

A. Roll Call.

B. Approval of the Agenda.

C. Approval of Minutes.

- I. Approval of the minutes from the November 13, 2018 meeting.

D. Regular Business.

- I. Report of the Purchasing Manager.
 - IA. Request approval to purchase 46 Panasonic Toughbook computers for the Police Department from Baycom Inc for \$205,252.
 - IB. Request approval to award a 5 year contract for Cell Phones & Data for Police & Fire to AT&T FirstNet for \$645,000 (\$129,000 per year).
 - IC. Request approval to award a 3 year contract for Cell PHones & Data for all City Departments except Police and Fire to Cellcom for \$302,187 (\$100,729 per year), plus two 1-year renewal options.
 - ID. Informational report that the City has entered into a 3 year agreement with Tradition Energy to facilitate contract pricing for natural gas to achieve a projected savings of \$33,500 per year.
2. Resolution authorizing 2018 transfer of \$15,079.90 from contingency for expenses related to referendum questions from the last election.
3. Consideration with possible action on requested amendments to Claims Administration Procedure Ordinance (GBMC 7.01 et seq).
4. Consideration with possible action to approve an ordinance relating to the establishment of a Relief Fund and associated funding sources

5. Consideration with possible action on the Report of the Claims Committee.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

6. Update with possible action on status of litigation in Dustin Krueger-Dunow v. City of Green Bay.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

E. Report of the Finance Director.

F. Informational.

1. 2019 Contingency Account:
\$112,076.00
2. The next Finance Committee meeting will be held on Tuesday January 29, 2019 at 4:30 PM.

G. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Finance Committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

January 8, 2019

PREPARED BY

AGENDA ITEM # D.I.

Report of the Purchasing Manager.

IA. Request approval to purchase 46 Panasonic Toughbook computers for the Police Department from Baycom Inc for \$205,252.

IB. Request approval to award a 5 year contract for Cell Phones & Data for Police & Fire to AT&T FirstNet for \$645,000 (\$129,000 per year).

IC. Request approval to award a 3 year contract for Cell PHones & Data for all City Departments except Police and Fire to Cellcom for \$302,187 (\$100,729 per year), plus two 1-year renewal options.

ID. Informational report that the City has entered into a 3 year agreement with Tradition Energy to facilitate contract pricing for natural gas to achieve a projected savings of \$33,500 per year.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Purchasing Report I.8.19



CITY OF GREEN BAY - PURCHASING DIVISION

TO: Finance Committee
FR: Rick Jensen, Purchasing Manager
DT: January 8, 2019
RE: Purchasing Report
Cc: Diana Ellenbecker, Pam Manley, Mike Hronek, David Litton, Andrew Smith

Report of the Purchasing Manager:

1. Request approval to purchase 46 Panasonic Toughbook computers for the Police Department from Baycom Inc for \$205,252.
2. Request approval to award a 5 year contract for Cell Phones & Data for Police & Fire to AT&T FirstNet for \$645,000 (\$129,000 per year).
3. Request approval to award a 3 year contract for Cell Phones & Data for all City Departments except Police and Fire to Cellcom for \$302,187 (\$100,729 per year), plus two 1-year renewal options.
4. Informational report that the City has entered into a 3 year agreement with Tradition Energy to facilitate contract pricing for natural gas to achieve a projected savings of \$33,400 per year.

The following items were openly and competitively offered:

Finance Committee - Report of the Purchasing Manager				
DESCRIPTION	FUNDING SOURCE	AWARDED VENDOR	RESPONSES	\$ AMOUNT
Panasonic Toughbooks - IT Department for GBPD	421106-55140 IT Capital Equipment Replacement Fund	Baycom Inc	4	\$205,252
Cell Phones & Data Police & Fire Only Five year Contract @ \$129,000 a year	101300-56302 101400-56302 Cell Phones	AT&T First Net	State Contract	\$645,000
Cell Phones & Data All Other City Dept's Three year Contract @ \$100,729 plus year with two, 1 year renewals	56302 Cell Phones	Cellcom	State Contract	\$302,187
Energy Audit - Informational 3-Year Agreement at No Cost to City	101-56201 Natural Gas	Tradition Energy	US Communities Contract	~\$33,400 Annual Savings

CITY OF GREEN BAY QUOTATION SUMMARY
RFQ #3116
Panasonic Toughbooks

DEPT: IT		REQ #272	VENDOR #1		VENDOR #2		VENDOR #3		VENDOR #4	
Planholders: 12 Vendors		CC#206-204-208	BAYCOM INC		TKK ELECTRONICS LLC		ZONES LLC		NOMAR ENTERPRISES/ RUGGED DEPOT	
ISSUED: 11/12/18		DUE: 11/28/18	Green Bay		Milwaukee		Auburn, WA		Magnolia, TX	
QTY	UNIT	DESCRIPTION	UNIT	PRICE	UNIT	PRICE	UNIT	PRICE	UNIT	PRICE
46	EA	Panasonic Toughbook CF-318B718VM:	\$ 3,430.00	\$157,780.00	\$ 3,515.81	\$161,727.26	\$ 3,536.06	\$162,658.76	\$3,683.00	\$169,418.00
46	EA	2-Year Extended Warranty:	\$ 306.00	\$14,076.00	\$ 283.47	\$13,039.62	\$ 282.24	\$12,983.04	\$ 325.00	\$14,950.00
46	EA	Gambler CF-31 Vehicle Dock Dual Pass:	\$ 607.00	\$27,922.00	\$ 653.44	\$30,058.24	\$ 650.60	\$29,927.60	\$ 818.00	\$37,628.00
46	EA	Vehicle Docking Station Power Supply:	\$ 119.00	\$5,474.00	\$ 120.51	\$5,543.46	\$ 115.75	\$5,324.50	Included	
TOTAL:				\$205,252.00		\$210,368.58		\$210,893.90		\$221,996.00
LEAD TIME:			4-6 Weeks		per requested schedule		10-15 Days		30-90 Days	
PAYMENT TERMS: NET 30			Net 30		Net 30		Net 30		Net 30	
EARLY PAYMENT DISCOUNT:										
COMPANY ACCEPTS P-CARD PAYMENTS:			No		No		Yes		Yes	

Recommendation: Award to the lowest responsive, responsible vendor Baycom Inc. in the amount of \$205,252.00

AT&T and FirstNet

AT&T is honored to work with FirstNet to build, deploy and maintain the first-ever nationwide public safety broadband network for America's first responders. This opportunity aligns with our nearly 140-year history of serving the U.S. federal government and the public safety community. We're committed to helping deliver the next generation of highly secure, reliable, and innovative mobile broadband communications to first responders through the FirstNet network.

Why FirstNet?

- FirstNet's public safety mission is to create a nationwide broadband network for America's public safety community. The FirstNet network will strengthen and modernize public safety's communications capabilities, enabling them to coordinate and respond more quickly and effectively in accidents, disasters, and emergencies. It will provide first responders like law enforcement, fire, and emergency medical personnel with access to new technologies and increased capacity and reliability for their mobile communications and data needs.
- The purpose of the FirstNet network is to help unify and improve communications across the U.S. public safety community – including all 50 states, 5 U.S. territories, and the District of Columbia, as well as rural communities and tribal lands in those states and territories – to help keep America and the first responders who protect our country safe.
- First responders across the country currently rely on more than 10,000 separate radio networks which often times do not interoperate with one another. By deploying a nationwide broadband public safety network built specifically to meet the communications needs of first responders, the FirstNet network will provide a solution to the decades-long interoperability and communications challenges first responders have experienced.
- The FirstNet network will support next generation technologies that can enable a faster flow of information, allowing millions of first responders to make better decisions more quickly. This will help make our communities and first responders safer.

Why AT&T for FirstNet?

- AT&T is uniquely qualified and capable to deliver FirstNet's public safety mission. We've been helping to enable public safety communications for nearly 140 years, allowing our public safety agencies and first responders to focus on what matters most – protecting communities and saving lives.
- AT&T is well positioned to deliver the value and experience our first responders expect, and we're committed to building and maintaining the first-ever nationwide public safety broadband network.

For more information on FirstNet, please visit <http://www.FirstNet.com>.

Energy Procurement & Supply Management

As one of the world's largest and most experienced **full-service energy consulting firms**, Tradition Energy advises organizations on how to buy, use and manage energy and brings value-added services to help them achieve greater efficiency and effectiveness in their operations. Our full-service Energy Procurement & Supply Management Services are described below.

Energy Procurement

Our procurement objective is the same as that of our clients—to obtain the most economical supply arrangement available and to further reduce costs as we proactively identify new opportunities as the markets evolve. Tradition Energy's supplier portfolio includes over 220 electricity and natural gas suppliers around the world, so our clients have access to highly competitive pricing and a full array of energy management products and services that help identify, understand, and manage the variables that affect the total price paid for energy. Simplifying the purchase and management of energy requires a thorough understanding of the underlying wholesale market, power generation and delivery, and their impact on prices. Tradition Energy understands these factors better than anyone.

Our transparent sourcing events leave a paper trail for RFP requests and results and all procurement information is captured and available for our clients' records. We provide our clients with the right price and most optimal terms while offering the flexibility to accommodate the client's internal decision-making process. Based upon our Strategic Risk Management Services, which serve as the energy procurement blueprint, Tradition Energy's procurement process follows these steps:

1. Identification of probable suppliers
2. Pre-sourcing review
3. RFP process
4. Contract review and negotiation
5. Client services execution & follow-up
6. Market & regulatory monitoring
7. Data management & reporting

Twin Eagle Resource Management (TERM) - Supply Cost Analysis				
Average Annual Consumption (Dekatherms) 47,704				
Rate Class	36 Month Offer			
Monthly Cost for Cg-FS	\$3.500	17,035	36%	\$1.26
Monthly Cost for Cg-FM	\$3.500	30,081	63%	\$2.21
Monthly Cost for Cg-FST	\$3.500	588	1%	\$0.04
Weighted Avg. Cost of Gas				\$3.50
*Estimated Annual Cost				\$166,964.00

Comparison of TERM offer to Historical WPS Rates				
Average Annual Consumption (Dekatherms) 47,704				
Weighted Avg. Historical Cost of Gas	TERM Energy Offer	Percentage Savings	Estimated Annual Cost Reduction	
36 Month Average Price \$4.20	\$3.500	20%	\$33,406.61	

***Estimated Annual Cost is based on historical annual consumption and is subject to actual consumption moving forward**

TFS ENERGY SOLUTIONS, LLC

PROPRIETARY NOTICE

This document is the property of, and is proprietary to, TFS Energy Solutions, LLC and/or any of its members, affiliates, and subsidiaries (collectively "TFS") and is identified as "Confidential." Those parties to whom it is distributed shall exercise the same degree of custody and care afforded their own such information. TFS makes no claims concerning the validity of the information provided herein and will not be held liable for any use of this information. The information provided herein may be displayed and printed for your internal use only and may not be reproduced, retransmitted, distributed, disseminated, sold, published, broadcast or circulated to anyone without the express written consent of TFS.

Copyright © 2018 TFS Energy Solutions, LLC d/b/a Tradition Energy

DISCLAIMER

Although the information contained herein is from sources believed to be reliable, TFS Energy Solutions, LLC and/or any of its members, affiliates, and subsidiaries (collectively "TFS") makes no warranty or representation that such information is correct and is not responsible for errors, omissions or misstatements of any kind. All information is provided "AS IS" and on an "AS AVAILABLE" basis and TFS disclaims all express and implied warranties related to such information and does not guarantee the accuracy, timeliness, completeness, performance or fitness for a particular purpose of any of the information. The information contained herein, including any pricing, is for informational purposes only, can be changed at any time, should be independently evaluated, and is not a binding offer to provide electricity, natural gas and/or any related services. The parties agree that TFS's sole function with respect to any transaction relating to this document is the introduction of the parties and that each party is responsible for evaluating the merits of the transaction and credit worthiness of the other. TFS assumes no responsibility for the performance of any transaction or the financial condition of any party. TFS accepts no liability for any direct, indirect or other consequential loss arising out of any use of the information contained herein or any inaccuracy, error or omission in any of its content.



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

January 8, 2019

PREPARED BY

AGENDA ITEM # D.2.

Resolution authorizing 2018 transfer of \$15,079.90 from contingency for expenses related to referendum questions from the last election.

BACKGROUND

RECOMMENDATION

This item was approved by Council on September 18, 2018.

FISCAL IMPACT

ATTACHMENTS

- I. Resolution

**RESOLUTION AUTHORIZING
TRANSFER OF FUNDS**

January 15, 2019

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of January 08, 2019, the following 2018 transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	101099-59001 Contingency	\$15,079.90
To:	101104 53001 Elections – Contractual	\$ 13,680.00
	101104 53004 Elections – Advertising	\$ 1,399.90

Adopted _____

Approved _____

Mayor

Clerk

js



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

January 8, 2019

PREPARED BY

AGENDA ITEM # D.3.

Consideration with possible action on requested amendments to Claims Administration Procedure Ordinance (GBMC 7.01 et seq).

BACKGROUND

RECOMMENDATION

Approval.

FISCAL IMPACT

ATTACHMENTS

- I. Draft 3 GO 20-18 - Ordinance relating to Claims Administration

GENERAL ORDINANCE NO. 20-18

AN ORDINANCE AMENDING CHAPTER 7, GREEN BAY MUNICIPAL CODE, RELATING TO CLAIMS ADMINISTRATION

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 7, Green Bay Municipal Code, is hereby amended as follows:

7.01 ADOPTION OF STATE LAW. All applicable state laws including, but not limited to, statutes of limitations, procedures, and other requirements pertaining to municipal claims and damages, as from time to time amended, changed, deleted, modified, or created, are hereby adopted by reference, made effective, and incorporated as if fully set forth herein. Any act required to be performed or prohibited by any laws so incorporated by reference is required or prohibited by this resolution.

~~**7.02 ADOPTION OF WISCONSIN CIVIL JURY INSTRUCTIONS.** All applicable Wisconsin Civil Jury Instructions, as promulgated by the Wisconsin Civil Jury Instructions' Committee, currently in effect or any subsequent additions thereto or deletions therefrom are hereby adopted by the City of Green Bay as guidelines upon which to determine whether to deny, settle, or pay any claim filed against the City of Green Bay as may be appropriate on a case-by-case basis.~~

~~**7.023 DEFINITIONS-ESTABLISHMENT OF CLAIMS COMMITTEE.**~~

~~(1) CLAIM means a correct, complete, and proper, in substance and form, itemized written statement of personal injury, wrongful death, or property damage in strict conformity with the requirements of State law, which sets forth with specificity and particularity the correct and complete name, home address, and telephone number of the claimant together with a specific and legally sufficient description and itemization of the nature, kind, and type of injury and/or damage, the specific dollar amount of damages claimed, together with a full and accurate statement of the facts and circumstances upon which the claim is based, including the reasons for believing the City is liable therefore.~~

~~(2) (Rep. & Rec. GO 44-96) CITY CLAIMS COMMITTEE means those persons who, from time to time, are appointed and authorized by the Mayor of the City of Green Bay to serve for an indeterminate period on the Claims Committee and who are charged with the responsibility of coordinating and administering the City's claims procedure and all claims filed in a manner consistent with the provisions of this chapter and all other applicable laws. The City Claims Committee shall be comprised of the City Attorney, Deputy City Attorney, one paralegal from the Law Department, Risk Manager, and~~

Formatted: Font: (Default) Arial, 12 pt,
Bold, Font color: Auto

Formatted: Justified, Indent: First line: 0.5"

Formatted: Font: (Default) Arial, 12 pt,
Font color: Auto

Formatted: Font: (Default) Arial, 12 pt,
Bold, Font color: Auto

Formatted: Font: (Default) Arial, 12 pt,
Font color: Auto

~~the Finance Director or his/her designee. The Claims Committee shall~~ have the sole, complete, and final authority to deny, ~~to settle, or approve to pay~~ ment for any and all claims received pursuant to § 893.80, Wis. Stats, up to \$50,000.00. The Claims Committee shall meet at least monthly ~~in the amount of \$5,000.00 or less as defined in the manner set forth below. The City Claims Committee shall have the authority to recommend approval or denial of all claims in an amount greater than \$5,000.00 as defined in the manner set for the below to the Finance Committee and Common Council. The Claims Committee shall consist of two representatives of the City Attorney's Office and the Finance Director or his/her designee.~~

7.0³⁴ PROCEDURE.

(1) Claims shall ~~Each and every claim of whatever kind or nature against the City shall be served upon the City Clerk or his/her designee. , or his/her designee, by each aggrieved party or someone acting on his/her behalf in strict conformity with the time limits and manner required by State law. The City Clerk shall immediately forward to the City Attorney all such claims filed against the City pursuant to § 893.80, Wis. Stats to the City Attorney. The City Attorney, in conjunction with the City's insurer,~~ who ~~shall~~ cause a file to be created and maintained for each claim received and shall retain and process the original claim as required by law.

(2) The City Attorney, or its third party insurance administrator ~~his/her designee~~, shall promptly provide a notice ~~notify to~~ the claimant confirming ~~of the~~ receipt of such claim and shall request of the claimant such additional information as may be necessary to process the claim. The notice required by this paragraph shall be a courtesy notice only and imposes no obligations beyond those set forth by § 893.80, Wis. Stats. It shall be the responsibility of the claimant for ensuring compliance with the requirements of § 893.80, Wis. Stats. ~~Information on the circumstances surrounding the claim shall be sought from the department within the City against whom the claim is made, asking for a statement of facts from such department concerning the claim.~~

(3) The City Attorney, or its third party insurance administrator, shall obtain information on the circumstances surrounding the claim from the City department against whom the claim is made, including asking for a statement of facts concerning the claim.

(4) Upon the receipt of requested information from the appropriate department and from the claimant, the claim shall be provided to the Claims Committee ~~shall meet and for review, along with any recommendations received from the City's insurer the claim.~~

(4⁵) The Claims Committee ~~shall~~ may utilize the services of a claims investigator/adjuster ~~from time to time as they deem appropriate.~~ The reports of the investigator/adjuster shall be made available to the claimant upon request pursuant to §19.35, Wis. Stats.

Formatted: Justified, Indent: Left: 0.5",
First line: 0"

Formatted: Font: (Default) Arial, 12 pt,
Font color: Auto

Formatted: Font: (Default) Arial, 12 pt,
Font color: Auto

Formatted: Font: (Default) Arial, 12 pt,
Underline, Font color: Auto

~~(56) The Common Council of the City of Green Bay authorizes the City Claims Committee meet and review all claims to make a recommendation to the Common Council for approval or denial.~~ The Committee's recommendations shall be based on those established principles of state and federal law, as ~~enunciated in the Wisconsin Civil Jury Instructions, State Statutes, or any other appropriate legal basis~~ applicable.

~~(67) Every month~~ On no less than a quarterly basis, the Claims Committee shall ~~file a report with the City Clerk to be~~ present a reported to the Finance Committee ~~and then the Common Council~~ describing all claims settled, denied, or approved since last reported.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this _____ day of _____, 2019.

APPROVED:

Mayor

ATTEST:

Clerk



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

January 8, 2019

PREPARED BY

AGENDA ITEM # D.4.

Consideration with possible action to approve an ordinance relating to the establishment of a Relief Fund and associated funding sources

BACKGROUND

Nothing was budgeted for this in the approved 2019 Budget.

Options:

- Contingency funds could be transferred to a separate relief fund pending a 2/3 vote by Council.
- Levy for in 2020 Budget.

RECOMMENDATION

Not approve.

FISCAL IMPACT

ATTACHMENTS

- I. DRAFT GO 2-19 - Ordinance Relating to Establishment of a Relief Fund

GENERAL ORDINANCE NO. 2-19

**AN ORDINANCE
CREATING SECTION 7.04, GREEN BAY MUNICIPAL CODE,
RELATING TO ESTABLISHMENT OF A RELIEF FUND**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 7.04, Green Bay Municipal Code, is hereby created as follows:

7.04 RELIEF FUND.

(1) In an effort to provide relief to City residents whose primary residence is damaged by City operations through no fault of their own, and for which the City is immune from liability, a relief fund is hereby established to support the public welfare. The amount of the fund shall be established annually by the City Council as part of its budget. The purpose of the fund is to provide limited assistance to City residents in those instances when protection of the public welfare demands it in order to return a property to a habitable condition, not to pay costs incurred by claimants. Funds are available to City residents whose primary residence is rendered uninhabitable by City operations. Adoption of this fund shall not waive the City's immunity or its limitation on liability in any respect, nor shall payment of any amounts to any person. Payments from the relief fund shall be authorized exclusively to protect the City's tax base from the reduction in value caused by disrepair, and avoid the cost of razing or repairing uninhabitable properties.

(2) Only eligible property owners may seek relief. Property owners must meet all of the following criteria in order to be eligible for relief:

- a. No outstanding code violations exist on the subject property. In the event an outstanding code violation exists, the property owner must agree in writing to correct the violation(s) at the property owner's own cost, before or concurrently with the repairs for which relief has been granted, and all payments under the relief fund will be subject to confirmation by the City that the code violation(s) have been corrected;**
- b. The property owner is current on all property taxes and/or any accounts with the City;**
- c. The subject property was covered by all appropriate insurances at the time of the incident (i.e., flood insurance if located within the floodplain, etc.); and**

- d. The subject property will be left in an uninhabitable condition absent assistance from the relief fund.

(3) Any eligible property owner whose primary residence has been rendered uninhabitable as a direct result of City operations, and whose claim has been denied payment by the Claims Committee solely on the basis of immunity, may petition the Finance Committee for monetary assistance to return the property to a habitable state. The Finance Committee shall not consider any petition for relief until the Claims Committee has first investigated the claim and rendered a decision. The Finance Committee shall hear all such petitions and shall make a recommendation to the Common Council for final approval. The Finance Committee shall evaluate each petition on the following criteria:

- a. Public purpose to be served, including but not limited to the following:
 - i. Prevent an incident-related decrease in property taxes.
 - ii. Provide for the welfare of City residents by returning the residence to a habitable condition.
- b. Property owner's fault and/or role in the loss.
- c. Other revenue sources available to the property owner. Relief is unavailable in instances where insurance coverage is available from any party to pay all or a portion of the damages or losses.
- d. Whether the expenses are eligible for relief. Examples of eligible expenses include, but are not limited to:
 - i. Removal of debris
 - ii. Emergency service calls
 - iii. After hour charges
 - iv. Water/sand extraction
 - v. Removal of carpeting
 - vi. Floor cleaning
 - vii. Removal of drywall/paneling and insulation
 - viii. Inspection and repair of essential household systems (furnace, water heater, electrical, etc.)
 - ix. Replacement of essential household systems, less the value of depreciation
 - x. Expenses incurred from a professional service provider

(4) The Finance Committee shall be entitled to request and review and any and all information and documentation in making a determination, and may require a second opinion or estimate from independent professionals. Failure by the property owner to comply with the Finance Committee's request for information or documentation, or to permit an independent professional to review or inspect the property shall render him/her ineligible for assistance from the relief fund.

(5) No funds shall be dispersed from the relief fund until the Finance Committee determines that the expenses are authorized under this section. Funds are for actual costs and expenses incurred, not damages incurred, and all funds must be applied to eligible expenses and costs only. The Property owner remains solely liable for payment of all expenses and costs until such time as the funds are actually paid, which payments shall be made directly to the vendor. Payments directly to the property owner shall be on a reimbursement basis only upon demonstration that the work has been completed and submission of receipts for eligible expenses and costs.

(6) It is expected that requests for relief will exceed \$10,000.00, but smaller requests shall be considered when the property owner demonstrates that s/he would otherwise be unable to bring the property back to a habitable state. Authorized expenses shall not exceed a total of \$50,000 per property, per incident. The Finance Committee may authorize full payment, partial payment, or no payment as determined by it in its sole discretion in administering the fund for the public welfare. Establishment of the relief fund does not guarantee payment to any person or any circumstances.

(7) When applicable, professional services must be retained to perform necessary work, including but not limited to professional cleaning services and licensed tradesmen.

(8) Necessary approval must be obtained before work may be performed including proper permits, submittal of a site plan, or any other required information based on the type of work to be performed.

(9) Authorized expenses must be submitted to a qualified adjuster, selected by the Finance Committee. The findings shall be considered by the Committee when determining whether the expenses shall be reimbursed.

(10) All authorizations for expenditures from the relief fund must be in furtherance of a public purpose as determined by the Common Council. Requests for assistance from the relief fund will only be considered until such time as the annual allocation of funds has been exhausted.

(11) Nothing in this Section 7.04 shall prevent a property owner from seeking legal redress against the City for payment of any claims, provided however, that relief granted hereunder shall be independent from and have no bearing on the liability of the City, and may not be used as evidence of wrongdoing. In the event of a settlement, judgment, award, or other payment by the City in any actions arising from the claim, the recovery shall be reduced by those amounts received by the property owner from the relief fund. Payment of any amounts shall not be construed as a waiver of immunity, limitation of liability, defenses, affirmative defenses, or any other rights or relief available to the City.

| **SECTION 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this _____ day of _____,
2019.

APPROVED:

Mayor

ATTEST:

Clerk



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

January 8, 2019

PREPARED BY

AGENDA ITEM # D.5.

Consideration with possible action on the Report of the Claims Committee.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

BACKGROUND

RECOMMENDATION

Approval.

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

January 8, 2019

PREPARED BY

AGENDA ITEM # D.6.

Update with possible action on status of litigation in Dustin Krueger-Dunow v. City of Green Bay.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

BACKGROUND

RECOMMENDATION

Approval.

FISCAL IMPACT

ATTACHMENTS

None