

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
200 EAST WELLS STREET, SUITE 800
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

March 14, 2001

Mr. Anthony Zielinski
Council Administration Manager
Room 205 - City Hall

Dear Mr. Zielinski:

**Re: Proposed Amendment to Charter
Ordinance 16-12, Milwaukee City Charter**

Pursuant to your March 13, 2001 e-mail, I am enclosing a charter ordinance amending sec. 16-12-4 of the Milwaukee City Charter. I am also enclosing a fiscal note. Ms. Alice Oatis of Alderman Pratt's office may also be forwarding a copy of this charter ordinance to you for introduction into the Common Council.

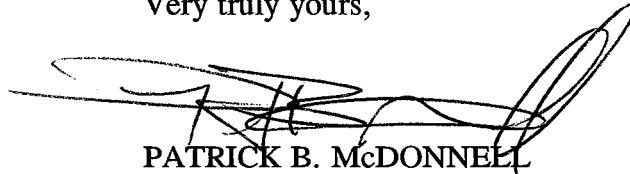
The proposed amendment to the Charter responds to 1999 Wisconsin Act 112 which amended sec. 229.27, Stats. That statutory provision enables the City of Milwaukee to establish a municipal theater and it was under that statutory provision that the Pabst Theater Board was created under sec. 16-12, Milwaukee City Charter.

Under the 1999 statutory amendment, the legislature authorized the Pabst Theater Board to enter into a Transfer Agreement with another entity to provide for the transfer of the City's interest in the Theater. The statute requires any such transfer be approved by the Common Council. Prior to that statutory change, title to all Pabst Theater property was to be held perpetually by the City.

The provisions of sec. 229, Stats., are enabling statutory provisions and in order to effectuate the purposes of that statute, the Council adopted sec. 16-12, Milwaukee City Charter. In order to bring the charter provision into conformity with the 1999 statutory change, an amendment must be made to sec. 16-12-4. That amendment would authorize the

Pabst Theater Board to transfer the Theater, subject to Common Council approval, consistent with the provisions of the recent statutory change.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Patrick B. McDonnell', written over a horizontal line.

PATRICK B. McDONNELL
Special Deputy City Attorney

PBMcD:dms

Enc.

cc: Alice Oatis
Dennis Conta
Charlane O'Rourke
W. Martin Morics