

LRB-FISCAL REVIEW SECTION ANALYSIS

**JUDICIARY AND LEGISLATION COMMITTEE
MAY 29, 2002**

**ITEM 39, FILE # 020242
MARK A. RAMION**

File # 020242 is a substitute resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside legal counsel in a case involving the Board of Zoning Appeals.

Background

This substitute resolution appropriates funding from the Outside Counsel/Expert Witness Fund Special Purpose Account (SPA) for the purpose of paying outside legal counsel to oppose the request of Wisconsin Correctional Services (WCS), Inc., to the Board of Zoning Appeals (BOZA) for special use approval to allow operation of a mental health clinic at 3716 West Wisconsin Avenue.

Discussion

1. In May 2001, BOZA denied the request of WCS for special use approval for the operation of a mental health clinic at 3716 West Wisconsin Avenue, BOZA Case # 23322.
2. WCS appealed BOZA's denial to Federal District Court and the court has remanded this case back to BOZA.
3. The City Attorney has represented BOZA in this matter and cannot represent the city as an interested party in this case.
4. This resolution will approve funds for the retention of outside counsel to represent the city's interests in this matter and oppose the request for special use.

Fiscal Impact

1. The total amount of this resolution is \$10,000, to be paid from the Outside Counsel/Expert Witness Fund SPA.
2. On May 28, 2002, the Outside Counsel/Expert Witness Fund SPA had a balance of \$230,000. Upon approval of this resolution, the 2002 Outside Counsel/Expert Witness Fund SPA will have a balance of \$220,000.

Prepared by: Mark A. Ramion, X8680
LRB-Fiscal Review Section
May 28, 2002

Cc: Marianne Walsh
Laura Engan
W. Martin Morics
Grant Langley
Barbara Woldt
David Schroeder