

LRB-FISCAL REVIEW SECTION ANALYSIS

FINANCE AND PERSONNEL COMMITTEE
APRIL 9, 2003

ITEM 15, FILE # 021790
MARK A. RAMION

File # 021790 is a resolution appropriating an additional \$30,000 from the Outside Counsel-Expert Witness Special Purpose Account to retain an outside attorney to represent the City of Milwaukee and Fire and Police Commission in *Arthur Jones v. City of Milwaukee – Fire and Police Commission*, EEOC Charge No. 260A200714.

Background

1. Chief of Police Arthur L. Jones has filed a charge of discrimination against the City of Milwaukee/Fire and Police Commission with the Equal Employment Opportunity Commission (EEOC) alleging that he has been subjected to harassment, public denunciation, referred to in a racially derogatory manner and subjected to a hostile work environment in violation of Title VII of the Civil Rights Act of 1964.
2. Council File # 020385 authorized the appropriation of \$25,000 from the Outside Counsel-Expert Witness fund for the purpose of hiring an outside counsel for this case.

Discussion

1. The City Attorney's Office is currently representing the Chief in various pending cases. An attorney may not act as an advocate against a person that the attorney is representing, even if the cases are wholly unrelated.
2. In this case, outside counsel must be retained in order to represent the City of Milwaukee and the Fire and Police Commission.
3. Common Council authorization is required in order to retain an attorney outside of the City Attorney's permanent staff for the purpose of representing the city.

Fiscal Impact

1. The total amount of this resolution is \$30,000, from the Outside Counsel-Expert Witness Special Purpose Account. Upon approval of this resolution, \$55,000 will have been appropriated for this case.
2. The current balance of the 2003 Outside Counsel-Expert Witness Special Purpose Account is \$205,488. Upon approval of this resolution, this account will have a 2003 balance of \$175,488.

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LRB-Fiscal Review Section
April 8, 2003

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