

..Number

210109

..Version

SUBSTITUTE 1

..Reference

201365

..Sponsor

ALD. PEREZ

..Title

Substitute resolution requesting that Milwaukee County's Office of Corporation Counsel review and opine on the process by which Common Council File Number 201365 was adopted.

..Analysis

This resolution requests that Milwaukee County's Office of Corporation Counsel review and opine on the process by which Common Council File Number 201365 was adopted.

..Body

Whereas, On March 2, 2021, the Common Council adopted Resolution File Number 201365, relating to the Amended and Restated Cooperation, Contribution, and Redevelopment Agreement as well as personal guaranties for the redevelopment of the property at 909 East Michigan Street for the Couture Project; and

Whereas, The resolution contained an amendment to Section 13.4 of the Restated Development Agreement; and

Whereas, On March 9, 2021, City Attorney Tearman Spencer issued an opinion stating that the City Attorney's Office would not sign approval of the contract's provisions "because individual Alderpersons do not have the authority to negotiate or to draft Development Agreements or provisions therein or amendments thereto"; and

Whereas, The amendment was approved by the full Common Council rather than by an individual Council member; and

Whereas, The Common Council seeks additional clarification by means of outside legal review; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Milwaukee County's Office of Corporation Counsel is requested to review and opine on the process by which Common Council File Number 201365 was adopted.

..Requestor

..Drafter

LRB 176700-2

Tea B. Norfolk

5/10/2021