



Legislation Details (With Text)

**File #:** 210109      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 5/4/2021      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 5/25/2021  
**Effective date:**

**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.

**Sponsors:** ALD. PEREZ

**Indexes:** LAKEFRONT DEVELOPMENT

**Attachments:** 1. File 201365, 2. 176700.pdf, 3. Escrow Agreement-Couture, 4. File #201365, 5. File #201573, 6. File #210109, 7. Uniformity and Anti-Displacement Fund, 8. Municipality Article-Roles and authority of governing body members, 9. May 4th email, 10. Email - Courture, 11. HR Agreement (Sewer Project), 12. HR Agreement (Public Infrastructure - non-sewer), 13. Min Assessed Value Agreement, 14. Amended and Restated Transportation Public Access Easement, 15. Limited Personal Guaranty, 16. Amended Restated Development Agreement, 17. Sewer Easement, 18. ESCROW AGREEMENT (Anti-Displacement Fund), 19. Escrow Disbursement Agreement (Sewer), 20. Escrow Disbursement Agreement (Public Infrastructure), 21. Escrow Agreement - Master CLDA, 22. Letter re Common Council File No 210232. Proposed Repeal of MCO 304-21, 23. Mayor's Veto Letter

Date	Ver.	Action By	Action	Result	Tally
5/4/2021	0	COMMON COUNCIL	ASSIGNED TO		
5/10/2021	0	STEERING & RULES COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	8:0
5/25/2021	1	COMMON COUNCIL	ADOPTED	Pass	15:0
6/2/2021	1	MAYOR	RETURNED NOT SIGNED		

210109  
SUBSTITUTE 1  
201365  
ALD. PEREZ

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.  
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.  
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

Alderspersons 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.

LRB 176700-2  
Tea B. Norfolk  
5/10/2021