



Legislation Details (With Text)

**File #:** 981565      **Version:** 0  
**Type:** Resolution      **Status:** Passed  
**File created:** 2/9/1999      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:** 3/2/1999

**Effective date:**

**Title:** Resolution appropriating \$15,000 from Outside Counsel/Expert Witness Fund for the purpose of retaining expert witnesses in Marino Construction Co., Inc. v. City of Milwaukee, et al., Case No. 92-CV-018090. (City Attorney)

**Sponsors:** THE CHAIR

**Indexes:** CONSULTANTS, FEES, LITIGATION

**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
2/9/1999	0	COMMON COUNCIL	ASSIGNED TO		
2/11/1999	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/22/1999	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
3/2/1999	0	COMMON COUNCIL	ADOPTED	Pass	16:0
3/11/1999	0	MAYOR	SIGNED		

981565  
ORIGINAL  
THE CHAIR  
Resolution appropriating \$15,000 from Outside Counsel/Expert Witness Fund for the purpose of retaining expert witnesses in Marino Construction Co., Inc. v. City of Milwaukee, et al., Case No. 92-CV-018090. (City Attorney)

- Analysis -

This resolution appropriates \$15,000 from the Outside Counsel/Expert Witness Fund for the purpose of retaining expert witnesses in Marino Construction Co., Inc. v. City of Milwaukee, et al., Case No. 92-CV-018190.

Whereas, In 1993, Marino Construction Co., Inc. ("Marino") commenced an action against the City of Milwaukee and Board of Harbor Commissioners for the City of Milwaukee after the City of Milwaukee terminated its contract, for cause, relative to the construction of the new Port of Milwaukee headquarters building; and

Whereas, The Wisconsin Appeals Court ruled, following conclusion of this litigation and appeal that the City and the Board of Harbor Commissioners is entitled to receive from Marino and its surety liquidated damages and inspection charges for each day of delay to construction of the building for which Marino was responsible; and

Whereas, It is in the best interest of the City to hire experts to substantiate these claims which are currently scheduled for trial, now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the expenditure of \$15,000 is authorized from the Outside Counsel/Expert Witness Fund Number 0001 1490 0001 S157 006300 for the purpose of retaining expert witnesses as directed herein; and be it

Further Resolved, That the City Comptroller is authorized and directed to appropriate the sum of \$15,000 to the City Attorney's Office budget for

the stated purpose; and that the application of the funds appropriated herein to a case other than that specifically referred to herein shall be subject to the further direction of the Common Council.

CITY ATTORNEY

City Attorney

RMK:bw

1/29/99

#16985

1