



## Legislation Details (With Text)

**File #:** 030791 **Version:** 1

**Type:** Resolution **Status:** Passed

**File created:** 9/23/2003 **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:** **Final action:** 10/14/2003

**Effective date:**

**Title:** Substitute resolution authorizing settlement and release of the YMCA of Metropolitan Milwaukee, Inc. in connection with claims related to the property located at 2620-2622 N. 15th Street in the City of Milwaukee.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS PAYMENT

**Attachments:** 1. City Atty cover letter.PDF, 2. Sub 1 Cover Letter.PDF, 3. Fiscal Note.PDF, 4. Mutual Release.PDF

| Date       | Ver. | Action By                         | Action                   | Result | Tally |
|------------|------|-----------------------------------|--------------------------|--------|-------|
| 9/23/2003  | 0    | COMMON COUNCIL                    | ASSIGNED TO              |        |       |
| 9/26/2003  | 0    | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT     |        |       |
| 9/26/2003  | 0    | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT     |        |       |
| 10/3/2003  | 1    | CITY CLERK                        | DRAFT SUBMITTED          |        |       |
| 10/6/2003  | 1    | JUDICIARY & LEGISLATION COMMITTEE | RECOMMENDED FOR ADOPTION | Pass   | 5:0   |
| 10/14/2003 | 1    | COMMON COUNCIL                    | ADOPTED                  | Pass   | 16:0  |
| 4/30/2013  | 1    | COMMON COUNCIL                    | SIGNED                   |        |       |

030791  
SUBSTITUTE 1

THE CHAIR

Substitute resolution authorizing settlement and release of the YMCA of Metropolitan Milwaukee, Inc. in connection with claims related to the property located at 2620-2622 N. 15<sup>th</sup> Street in the City of Milwaukee.

This resolution authorizes the execution and delivery of mutual releases between the City of Milwaukee and the YMCA of Metropolitan Milwaukee, Inc. (YMCA) in connection with claims related to the property located at 2620-2622 N. 15<sup>th</sup> Street in the City of Milwaukee.

Whereas, The City of Milwaukee has provided Community Development Block Grant funds and HOME Investment Partnerships Act grant funds to the YMCA for the purpose of, among other things, the rehabilitation of the property located at 2620-22 N. 15<sup>th</sup> Street in the City of Milwaukee; and

Whereas, The contracts under which grant funds were provided to the YMCA contain a provision that the YMCA shall indemnify the City for any liability incurred by the City in connection with the

performance by the YMCA of its contract obligations; and

Whereas, The owner of the property presented the YMCA and the City with various complaints relating to the condition of the property and the rehabilitation work performed; and

Whereas, The YMCA has entered into a negotiated settlement of these complaints with the owner of the property; and

Whereas, Personnel from the City of Milwaukee and the United States Department of Housing and Urban Development facilitated the negotiation of this settlement; and

Whereas, As part of the settlement agreement, the owner of the property delivered a release of claims against the City of Milwaukee relating to the property; and

Whereas, The YMCA had now requested that, in light of the release of the City received from the owner of the property, that the City and the YMCA execute and deliver mutual releases of claims relating to the YMCA's activities in connection with the rehabilitation of the property; and

Whereas, The Common Council of the City of Milwaukee deems it expeditious and just enter to into such mutual releases; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to execute and deliver a release of claims against the YMCA, substantially in the form on file herewith, upon receipt of a similar release of claims from the YMCA, approved as to form and execution by the City Attorney, in settlement of the City's claims for indemnification by the YMCA with respect to claims arising out of the rehabilitation work performed by the YMCA on the property located at 2620-22 N. 15<sup>th</sup> Street.

.  
City Attorney

EHT:eht  
October 1, 2003  
1052-2002-3285:73024