



Legislation Details (With Text)

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On agenda: **Final action:** 7/16/2002
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Title: Substitute resolution authorizing the City Attorney to retain an outside attorney to represent the City and Fire and Police Commission in Arthur Jones v. City of Milwaukee – Fire and Police Commission, EEOC Charge No. 260A200714 and approving the expenditure of up to \$25,000 from the Expert Witness and Outside Counsel Special Purpose Account for this purpose.

Sponsors: THE CHAIR

Indexes: CONSULTANTS, FIRE AND POLICE COMMISSION, LITIGATION, SUITS

Attachments: 1. City Atty Cover letter.pdf, 2. Fiscal Note.pdf, 3. Fiscal Review Analysis.pdf, 4. Sub 1 Fiscal Note.pdf, 5. Sub 1 City Atty Letter.pdf, 6. EEO Comm Letter.PDF

Date	Ver.	Action By	Action	Result	Tally
6/19/2002	0	COMMON COUNCIL	ASSIGNED TO		
6/27/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/27/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/1/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/1/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/5/2002	1	CITY CLERK	DRAFT SUBMITTED		
7/9/2002	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
7/16/2002	1	COMMON COUNCIL	ADOPTED	Pass	14:2
7/25/2002	1	MAYOR	SIGNED		

020385
SUBSTITUTE

Substitute resolution authorizing the City Attorney to retain an outside attorney to represent the City and Fire and Police Commission in *Arthur Jones v. City of Milwaukee - Fire and Police Commission*, EEOC Charge No. 260A200714 and approving the expenditure of up to \$25,000 from the Expert Witness and Outside Counsel Special Purpose Account for this purpose.

Chief of Police Arthur L. Jones has filed a charge of discrimination against the City of Milwaukee/Fire and Police Commission with the 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, as amended. The City Attorney's office is representing Chief Jones in a number of pending cases. Under SCR § 20:1.7, a lawyer may not act as an advocate against a person the lawyer represents in some other matter even if it is wholly unrelated. As a consequence, it is necessary for the City Attorney to retain an outside attorney to represent the City and the Fire and Police Commission. Section 304-23 of the Code provides that no attorney or law firm outside of the City Attorney's permanent staff shall be retained on behalf of the City without first obtaining authorization from the Common Council. This resolution seeks authorization from the Common Council to retain an outside attorney and approves the sum of \$25,000 from the Expert Witness and Outside Counsel Special Purpose Account for this purpose.

Whereas; Arthur L. Jones has filed charges of discrimination against the City of Milwaukee and the Fire and Police Commission, EEOC Charge No. 260A200714; and

Whereas; the City Attorney has advised the Common Council that he cannot represent the City and the Fire and Police Commission in this matter; and

Whereas; S. 304-23 of the Code requires Common Council authorization to retain outside counsel in an engagement pursuant to a written agreement; now, therefore, be it

Resolved, By the Common Council that the City Attorney be and hereby is authorized and directed to retain an outside attorney to represent the City of Milwaukee and the Fire and Police Commission in *A.L. Jones v. City of Milwaukee - Fire and Police Commission*, EEOC Charge No. 260A200714; and, be it

Further Resolved; That such engagement shall be pursuant to a written agreement entered into by the City Attorney on behalf of the City; and, be it

Further Resolved; That the expenditure of \$25,000 from the Expert Witness and Outside Counsel Special Purpose Account No. 0001- 1490-0001-S157-2002-634001 is approved for this purpose.

City Attorney
City Attorney
7/5/02
TEH:kef
1095-2002-1757:54784