



Legislation Text

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001557
ORIGINAL

THE CHAIR

Resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining experts and outside legal counsel in DeBraska et al. v, City of Milwaukee, U.S. District Court, Eastern District of Wisconsin, Case No. 96-C-402. (City Attorney) Resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining experts and outside legal counsel in DeBraska et al. v, City of Milwaukee, U.S. District Court, Eastern District of Wisconsin, Case No. 96-C-402.

Whereas, The Outside Counsel/Expert Witness Fund Special Purpose Account is to be used by the City Attorney's Office for the purpose of retaining the services of experts and outside legal counsel; and

Whereas, Funding in the amount of \$8,000 is necessary to retain experts and outside legal counsel in DeBraska et al. v. City of Milwaukee, Case No. 96-C-402; and

Whereas, This case was brought by the Milwaukee Police Association and certain individual police officers against the City alleging that the City has violated the Fair Labor Standards Act (20 U.S.C. § 201 et seq.) in the method by which it compensates non-supervisory police officers in numerous respects; and

Whereas, On September 26, 2000, Senior District Judge Myron L. Gordon ruled that the system utilized by the Milwaukee Police Department for affording police officers access to their earned and accrued compensatory time ("CTO") balances did not comply with the requirements of The Fair Labor Standards Act, and directed further proceedings to determine the nature and extent of any damages or other remedy to be afforded to affected police officers; and

Whereas, The City is vigorously attempting to limit its exposure to damages or other liability during the course of such further proceedings; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that \$8,000 be appropriated from the Outside Counsel/Expert Witness Fund Special Purpose Fund Account No. 0001-1490-0001-S157-2001- 006300 to the City Attorney's Office for the purpose of paying experts in DeBraska et al. v. City of Milwaukee, Case No. 96-C-402; and, be it

Further Resolved, That the City Attorney's Office is authorized to retain the experts and outside legal counsel and expend the appropriation for the stated purposes; 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; and, be it

Further Resolved, That the City Attorney be and hereby is authorized to pay said fees and expenses

after review and approval of invoices from Seyfarth Shaw; and, be it

Further Resolved, That the proper City officers be and are hereby authorized and directed to make whatever fund transfers are necessary or appropriate to carry out the provisions of this resolution.

City Attorney

SSM:bal

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