



Legislation Text

File #: 130642, **Version:** 2

130642
SUBSTITUTE 2
130163
THE CHAIR

Substitute resolution authorizing the issuance and sale of general obligation promissory notes in the aggregate amount of \$6,707,000 for repairs to City Hall under the terms of a recent settlement. This resolution authorizes the use of up to \$6,707,000 in contingent borrowing authority to fund repair work to City Hall. The work is described in Common Council Resolution File Number 130163, which authorized the settlement with J.P. Cullen & Sons, the terms of which included performing repair work to the relevant terra cotta elements of City Hall for a price not to exceed \$6,707,000.

Whereas, In regard to problems with the terra cotta restoration work which had been completed on Milwaukee City Hall in 2008, the City filed suit on May 12, 2012, against Simpson, Gumpertz & Heger, Inc., Engberg Anderson, Inc., Bloom Companies, LLC and J.P. Cullen & Sons (JPC), along with numerous insurance companies that had issued policies of insurance to these companies; and

Whereas, The damages the City sought in the lawsuit included the cost of this restoration work, approximately \$14,600,000, plus approximately \$4,000,000 in other damages, past and future; and

Whereas, Common Council Resolution File Number 130163, adopted July 2, 2013, authorized a settlement in which JPC agreed to perform all needed repairs to terra cotta on City Hall for a price of \$6,707,000; and

Whereas, The 2013 Budget includes \$200,000,000 of contingent borrowing authority, for purposes not contemplated at the time of the adoption of the budget; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council authorizes and declares its purpose to use contingent borrowing to issue and sell general obligation promissory notes in the aggregate amount of \$6,707,000 to fund repair work to the terra cotta on City Hall based on the settlement with JPC; and, be it

Further Resolved, That these funds and associated expenses shall be accounted for in capital project account BU110110700; and, be it

Further Resolved, That borrowing may be issued as notes pursuant to Common Council Resolution File Number 121149 (Contingent Borrowing-Unallocated), including temporary borrowing as Extendable Municipal Commercial Paper; and, be it

Further Resolved, That any monetary proceeds from future settlements in the suits filed by the City against other parties be used first to retire the debt authorized by this resolution.

DOA - Budget and Management

Aaron Szopinski

8/23/2013

LRB149202-3

Teodros W. Medhin:lp

9/18/2013