



Legislation Text

File #: 990353, Version: 1

990353

SUBSTITUTE 1

THE CHAIR

Substitute resolution authorizing the transfer of \$5,000 from the Common Council Contingency Fund to the Outside Counsel -- Expert Witness Fund for the purpose of obtaining an expert witness.

- Analysis -

This resolution authorizes the transfer of \$5,000.00 from the Common Council Contingent Fund to Outside Counsel - Expert Witness Fund for the purpose of funding an expert witness relating to the case of Oconomowoc Residential Programs, Inc., et al. v. City of Milwaukee, United States District Court Case No. 97-C-0251.

Whereas, The Outside Counsel - Expert Witness Fund is to be used by the City Attorney's Office to retain the services of expert witnesses and outside legal counsel; and

Whereas, Any appropriation of funds from this Fund requires approval by the Common Council via resolution; and

Whereas, The City Attorney needs to expend money from the Outside Counsel - Expert Witness Fund for an expert accounting witness to value properly the business loss claim of the group home operator, Oconomowoc Residential Programs, Inc., made within the context of a housing discrimination case, entitled Oconomowoc Residential Programs, Inc., et al. v. City of Milwaukee, United States District Court Case No. 97-C-0251; and

Whereas, An accounting firm contacted by the City Attorney's Office has agreed to provide such services for the sum of approximately \$5,000.00; and

Whereas, A sufficient sum of money is not presently available in the Outside Counsel - Expert Witness Fund to pay the aforementioned amount, but is available from funds which may be transferred from the Contingent Fund; now, therefore, be it

Resolved, By the Common Council that \$5,000.00 be transferred from the Common Council Contingent Fund No. 0001-9990-C001 to the Outside Counsel - Expert Witness Fund, No. 0001-1490-0001-S157-0006300 and the expenditure of \$5,000.00 from the Outside Counsel - Expert Witness Fund is hereby authorized for the purpose of retaining an expert witness as directed herein; and, be it

Further Resolved, That the Office of the City Attorney is hereby authorized and directed to engage an expert witness and to pay expert witness fees incurred by the expert witness upon receipt of an itemized bill, approved to be reasonable and necessary by the Office of the City Attorney; and, be it

Further Resolved, That the City Comptroller is authorized and directed to appropriate the sum of \$5,000.00 to the City Attorney's Office budget for the stated project; and that application of the funds directed herein to a case other than that specifically referred to herein shall be subject to the further direction of the Common Council.

City Atty.
JAS:enm
6/10/99
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