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Title: Substitute resolution granting a waiver to the Office of the Assessor under s. 310-12 of the Code of Ordinances to permit a payment to an outside contractor for the provision of expert witness services.

Sponsors: ALD. MURPHY

Indexes:

Attachments: 1. Hearing Notice List, 2. Motion by Ald. Perez, 3. Letter to Mayor

Date	Ver.	Action By	Action	Result	Tally
6/23/2015	0	COMMON COUNCIL	ASSIGNED TO		
6/24/2015	1	CITY CLERK	DRAFT SUBMITTED		
7/14/2015	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
7/14/2015	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
7/17/2015	2	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
7/17/2015	1	FINANCE & PERSONNEL COMMITTEE	AMENDED	Pass	3:0
7/21/2015	1	COMMON COUNCIL	ADOPTED	Pass	13:0
7/30/2015	1	MAYOR	SIGNED		

150359
SUBSTITUTE 2

ALD. MURPHY

Substitute resolution granting a waiver to the Office of the Assessor under s. 310-12 of the Code of Ordinances to permit a payment to an outside contractor for the provision of expert witness services.

This resolution approves a purchase of services from Real Estate Appraisals, Inc., over and above the authorized maximum of an existing contract with this vendor. The purchased services were used by the City Assessor's Office and the City Attorney's Office in the defense of actions against the City by property taxpayers at the Board of Review and in subsequent lawsuits. The resolution authorizes the proper City officials to recognize this purchase of services by increasing the vendor service contract amount and paying the invoices submitted by the vendor, including possible interest for late payment.

Whereas, Peter C. Weissenfluh served with distinction as the City of Milwaukee's Chief Assessor for almost 40 years; and

Whereas, Peter C. Weissenfluh retired in 2013; and

Whereas, The Commissioner of Assessments retained Real Estate Appraisals, Inc. (Peter Weissenfluh's corporation), vendor number 0001092615, under vendor services contract number E0000013006 dated May 27, 2014 through the Procurement Services section of the Department of Administration in order to complete unfinished assessment business, including activities related to several pending property tax assessment lawsuits; and

Whereas, The Granville Oil Terminals lawsuit is the largest claim pending against the City; and

Whereas, Peter C. Weissenfluh has been involved in this case for over ten years as the City's leading expert witness and the author of the City's expert reports for the court; and

Whereas, The exigencies of this case, including the plaintiffs' activities and the court's scheduling order, required Peter C. Weissenfluh (through Real Estate Appraisals, Inc.), to work more hours than originally anticipated; and

Whereas, The Assessor's Office has received Real Estate Appraisals, Inc. invoices for the additional services of Peter C. Weissenfluh totaling nearly \$41,287.50; and

Whereas, The City Attorney has reviewed the invoices and ascertained that they are valid, within the usual expert witness cost parameters for such work, and that the services provided were for a valid, proper and necessary public purpose; and

Whereas, Payment of these invoices would violate the limits set in s. 310-12 of the Code of Ordinances relating to professional service contracts with retired City employees; and

Whereas, Section 310-12 allows the Common Council to waive those limits by resolution in special circumstances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the limitations imposed by s. 310-12 of the Code of Ordinances upon vendor services contract E0000013006 dated May 27, 2014, with Real Estate Appraisals, Inc. (Peter C. Weissenfluh) are waived; and, be it

Further Resolved, That the City Purchasing Director, City Comptroller and other City officials are authorized and directed to take the necessary actions to complete this previously unauthorized purchase, including increasing the vendor service contract amount and paying the invoices submitted by the vendor; and, be it

Further Resolved, That the Common Council authorizes payment of the outstanding total of invoices due the vendor (Real Estate Appraisals, Inc., Peter C. Weissenfluh's consulting corporation), plus interest owed to the vendor for late payment, from the Assessor's Office Professional Services expenditure account (634001-0001-2300-0200-R999-2015) or other proper account in an amount not to exceed \$41,287.50, by City accounts payable check at the earliest possible date.

Assessor's Office
LRB 1588825-2

John Ledvina
06/24/2015
Vincent Moschella
City Attorney's Office
6/19/2015