



Legislation Details (With Text)

**File #:** 160370      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 7/6/2016      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 7/26/2016  
**Effective date:**

**Title:** Substitute resolution appropriating up to \$950,000 from the 2016 Common Council Contingent Fund for payment of settlement regarding litigation entitled CP South Howell v. City of Milwaukee.

**Sponsors:** THE CHAIR

**Indexes:** MUNICIPAL LIABILITY

**Attachments:** 1. Motion by Ald. Coggs, 2. Hearing Notice List, 3. Budget Response

Date	Ver.	Action By	Action	Result	Tally
7/6/2016	0	COMMON COUNCIL	ASSIGNED TO		
7/11/2016	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/12/2016	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/15/2016	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
7/15/2016	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
7/15/2016	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
7/15/2016	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
7/15/2016	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
7/18/2016	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	4:0
7/20/2016	0	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
7/26/2016	0	COMMON COUNCIL	AMENDED	Pass	15:0
7/26/2016	1	COMMON COUNCIL	ADOPTED	Pass	15:0
8/1/2016	1	MAYOR	SIGNED		

160370  
SUBSTITUTE 1  
THE CHAIR

Substitute resolution appropriating up to \$950,000 from the 2016 Common Council Contingent Fund for payment of settlement regarding litigation entitled CP South Howell v. City of Milwaukee. This resolution authorizes settlement and payment of the lawsuit entitled CP South Howell v. City of Milwaukee. This resolution authorizes appropriation of up to Nine Hundred and Fifty Thousand dollars (\$950,000.00) from the 2016 Common Council Contingent Fund for payment of the settlement regarding litigation entitled CP South Howell v. City of Milwaukee.

Whereas, This resolution authorizes payment of the settlement of the litigation for CP South Howell v. City of Milwaukee, Milwaukee County Circuit Court Case No. 2009-CV-9878; and

Whereas, The \$950,000 amount exceeds the available balance in the Remission of Taxes Fund special purpose account (001-9900-S103-006300); and

Whereas, The 2016 budget of the City of Milwaukee authorized a Common Council Contingent Fund for purposes not contemplated at the time the budget was adopted; and

Whereas, The city desires to use \$950,000.00 of the 2016 Common Council Contingent Fund to fund this settlement; and

Whereas, Statutory charge-backs by the Wisconsin Department of Revenue should provide reimbursement to the city of the majority of this expenditure in early 2017; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that an amount of \$950,000.00 be appropriated from the 2016 Common Council Contingent Fund Account No. 0001-9990-C001-006300 and placed within the Remission of Taxes Special Purpose Account, and that the proper City officers are authorized and directed to issue a City check in the amount of \$950,000.00 (with no interest), made payable to Michael Best & Friedrich LLP Client Trust Account in final settlement of this lawsuit, said amount up to \$950,000.00 be charged to the Remission of Taxes Special Purpose Account No. 0001-9990-S163-006300-2016; and, be it

Further Resolved, That the City Attorney is authorized to execute the documents necessary to settle the court case.

City Attorney  
Vince Moschella/Allison Flanagan  
June 28, 2016

229782

Amended by Common Council 7/26/16 Chris Lee