



## Legislation Details (With Text)

**File #:** 161353      **Version:** 0

**Type:** Resolution      **Status:** Passed

**File created:** 1/18/2017      **In control:** COMMON COUNCIL

**On agenda:**      **Final action:** 2/7/2017

**Effective date:**

**Title:** Resolution authorizing \$2.5 million dollars of 2017 contingent borrowing for damages and claims.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS PAYMENT, CONTINGENT FUND, SUITS PAYMENT

**Attachments:** 1. Fiscal Impact Statement, 2. Budget Response, 3. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/18/2017	0	COMMON COUNCIL	ASSIGNED TO		
1/26/2017	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/26/2017	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/26/2017	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/26/2017	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
1/26/2017	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
2/1/2017	0	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
2/7/2017	0	COMMON COUNCIL	ADOPTED	Pass	14:1
2/16/2017	0	MAYOR	SIGNED		

161353  
ORIGINAL

### THE CHAIR

Resolution authorizing \$2.5 million dollars of 2017 contingent borrowing for damages and claims. Common Council File Number 161352 authorizes the settlement of the claims raised by the plaintiff, Iema Lemons, in the lawsuit entitled *Iema Lemons v. City of Milwaukee, et al., Case No. 13-CV-331* in the United States District Court for the Eastern District of Wisconsin. The City of Milwaukee and Ms. Lemons agreed to a \$2.5 million dollar settlement amount regarding resolution of her claims. The City will fund the settlement using Contingent Borrowing.

Whereas, Common Council File Number 161352 authorizes the settlement of the lawsuit entitled *Iema Lemons v. City of Milwaukee, et al., Case No. 13-CV-331*; and

Whereas, The agreed \$2.5 million dollar settlement amount exceeds the available balance in the Damages and Claims Fund Special Purpose Account (001-1490-S118-006300); and

Whereas, The 2017 Budget of the City of Milwaukee authorized \$200,000,000 of Contingent

Borrowing for purposes not contemplated at the time the budget was adopted; and

Whereas, Resolution File Number 161127 authorized the issuance of general obligation promissory notes for various public purposes, including Contingent Borrowing as may be authorized from time to time; and

Whereas, The City desires to use \$2.5 million dollars of Contingent Borrowing to fund settlement of the above-noted lawsuit; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that up to \$2,500,000.00 of Contingent Borrowing for Damages and Claims is authorized to be issued and the proceeds used to fund settlement of the claims raised by the plaintiff, Iema Lemons, in the lawsuit; and, be it

Further Resolved, That the debt may be issued as Notes pursuant to Resolution Number 161127 (including direct loan notes), and that such debt shall be a purpose of Contingent Borrowing - Unallocated in Exhibit A of the resolution, including refunding of direct loan notes if the debt is temporarily issued as direct loan notes; and, be it

Further Resolved, That the proper City officers are authorized to make necessary transfers to the appropriate accounts or fund to disburse the settlement amount.

Budget and Management Division

MRH:mrh

January 10, 2017

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