



## Legislation Details (With Text)

**File #:** 170510 **Version:** 0

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

**File created:** 7/11/2017 **In control:** COMMON COUNCIL

**On agenda:** **Final action:** 7/31/2017

**Effective date:**

**Title:** Resolution authorizing a supplemental settlement agreement relating to the lawsuit entitled DJK 59 LLC et al. v. City of Milwaukee.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, MUNICIPAL LIABILITY

**Attachments:** 1. Letter to Common Council, 2. Proposed Settlement Agreement

Date	Ver.	Action By	Action	Result	Tally
7/4/2017	0	COMMON COUNCIL	ASSIGNED TO		
7/17/2017	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/24/2017	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
7/31/2017	0	COMMON COUNCIL	ADOPTED	Pass	15:0
8/9/2017	0	MAYOR	SIGNED		

170510  
ORIGINAL

### THE CHAIR

Resolution authorizing a supplemental settlement agreement relating to the lawsuit entitled *DJK 59 LLC et al. v. City of Milwaukee*.

This resolution authorizes a supplemental settlement agreement between the City of Milwaukee and Business Improvement District No. 21 relating to the previous lawsuit of *DJK 59 LLC et al. v. City of Milwaukee*, Milwaukee County Case No. 2014CV955, Court of Appeals Case No. 2015AP2046.

Whereas, Pursuant to Common Council File No. 161753 the City paid \$483,941.41 to satisfy a judgment entered against the City in the lawsuit of *DJK 59 LLC et al. v. City of Milwaukee*, Milwaukee County Case No. 2014CV955, Court of Appeals Case No. 2015AP2046; and

Whereas, The subject lawsuit involved the refund of certain assessments collected by Business Improvement District No. 21; and

Whereas, Business Improvement District No. 21 has offered to contribute \$120,985.00, to be paid over eight years at no interest, in exchange for a waiver and release of claims from the City relating to the lawsuit of *DJK 59 LLC et al. v. City of Milwaukee*, Milwaukee County Case No. 2014CV955, Court of Appeals Case No. 2015AP2046; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to approve the proposed settlement with Business Improvement District No. 21; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials be and are hereby authorized and directed to execute a Settlement Agreement, Waiver and Release in accordance with the terms of this resolution and in a form approved by the City Attorney.

City Attorney  
Allison Flanagan  
July 6, 2017  
1056-2014-387.002:1240408