



Legislation Details (With Text)

File #: 171004 **Version:** 0

Type: Resolution **Status:** Passed

File created: 10/17/2017 **In control:** COMMON COUNCIL

On agenda: **Final action:** 11/7/2017

Effective date:

Title: Resolution authorizing up to \$2 million dollars of 2017 contingent borrowing for damages and claims.

Sponsors: THE CHAIR

Indexes: CLAIMS, CLAIMS PAYMENT

Attachments: 1. Fiscal Impact Statement, 2. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/17/2017	0	COMMON COUNCIL	ASSIGNED TO		
10/26/2017	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
10/26/2017	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
11/1/2017	0	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
11/7/2017	0	COMMON COUNCIL	ADOPTED	Pass	15:0
11/21/2017	0	MAYOR	SIGNED		

171004
ORIGINAL

THE CHAIR

Resolution authorizing up to \$2 million dollars of 2017 contingent borrowing for damages and claims. Common Council File Number _____ authorizes the settlement of the claims raised by the plaintiff, William Damon Avery, in the lawsuit entitled William Avery, et al. v. City of Milwaukee, et al., Case No. 11-CV-0408-JPS in the United States District Court for the Eastern District of Wisconsin. The City of Milwaukee and Mr. Avery agreed to a settlement in the amount of \$1,987,012 regarding resolution of his claims. The City will fund the settlement using Contingent Borrowing.

Whereas, Common Council File Number _____ authorizes the settlement of the lawsuit entitled William Avery, et al. v. City of Milwaukee, et al., Case No. 11-CV-0408-JPS; and

Whereas, The agreed \$1,987.012 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 up to \$2 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 \$2,000,000.00 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, William Damon Avery, 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 dispense the settlement amount.

Budget and Management Division

JAS:lmb

October 11, 2017

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