



Legislation Details (With Text)

File #: 210983 **Version:** 1
Type: Resolution **Status:** Passed
File created: 10/12/2021 **In control:** COMMON COUNCIL
On agenda: **Final action:** 11/2/2021
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Title: Substitute resolution authorizing settlement of claims in the lawsuit entitled Rodolfo Gomez v. Board of Fire and Police Commissioners for the City of Milwaukee, Milwaukee County Circuit Court, Case No. 15-CV-6824.

Sponsors: THE CHAIR

Indexes: CLAIMS, FIRE AND POLICE COMMISSION, SUITS SETTLEMENT

Attachments: 1. Gomez cover letter, 2. Gomez - Draft Fiscal Impact Statement, 3. 2022-01-13 Gomez - Order For Payment of Reasonable Attorneys Fees Incurred (Doc 154)

| Date | Ver. | Action By | Action | Result | Tally |
|------------|------|-----------------------------------|--------------------------|--------|-------|
| 10/12/2021 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 10/25/2021 | 1 | JUDICIARY & LEGISLATION COMMITTEE | RECOMMENDED FOR ADOPTION | Pass | 4:0 |
| 10/25/2021 | 0 | JUDICIARY & LEGISLATION COMMITTEE | SUBSTITUTED | Pass | 4:0 |
| 11/2/2021 | 1 | COMMON COUNCIL | ADOPTED | Pass | 14:0 |
| 11/9/2021 | 1 | MAYOR | SIGNED | | |

210983
SUBSTITUTE 1

THE CHAIR

Substitute resolution authorizing settlement of claims in the lawsuit entitled *Rodolfo Gomez v. Board of Fire and Police Commissioners for the City of Milwaukee*, Milwaukee County Circuit Court, Case No. 15-CV-6824.

This resolution authorizes a settlement payment in the lawsuit *Rodolfo Gomez v. Board of Fire and Police Commissioners for the City of Milwaukee*, Milwaukee County Circuit Court, Case No. 15-CV-6824, in the amount of \$335,772.02.

Whereas, The plaintiff, Rodolfo Gomez, filed a lawsuit against the City of Milwaukee seeking compensation for back pay to which he alleged he was entitled; and

Whereas, The plaintiff has agreed to settle his claims against the City of Milwaukee through a settlement agreement providing for payment of the total amount of \$335,772.02; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious that the City pay a settlement of the claims against it in this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are authorized and directed to issue a City check in this matter in the amount of \$335,772.02 payable to

the order of Rodolfo Gomez; and, be it

Further Resolved, That this payment is to be made in full and final settlement of all monetary damages sought in this lawsuit, including reasonable attorney's fees and costs, on receipt of a court order, approved as to form and execution by the City Attorney, to be charged to the Damages and Claims Fund, Account No. 0001-1490-S118-006300; and, be it

Further Resolved, That the funding of the settlement amount is authorized by approval of this resolution, and that the proper City officers are authorized to make the necessary transfers to the appropriate accounts or funds to disburse the settlement amount; and, be it

Further Resolved, That \$335,772.02 shall be appropriated to the Damages and Claims Fund Account No. 0001-1490-S118-006300; and, be it

Further Resolved, That the City Attorney is authorized to expend \$335,772.02 in the account 0001-S118-006300, for purposes related to settlement and payment of damages and claims; and, be it

Further Resolved, That the City Comptroller is directed to establish the necessary accounts and accounting procedures to carry out the intent of this resolution.

City Attorney
RAP
LRB 177041-2
Teodros W. Medhin
Christopher Hillard
10/20/2021