



Legislation Details (With Text)

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Title: Resolution authorizing the City Attorney to commence legal action against the State and its officers regarding the lapse or transfer of about \$1.5 million in recycling grant funds.

Sponsors: ALD. HINES JR., ALD. COGGS

Indexes: LITIGATION, RECYCLING, STATE GRANTS

Attachments:

Date	Ver.	Action By	Action	Result	Tally
5/24/2011	0	COMMON COUNCIL	ADOPTED	Pass	13:0
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110184

ORIGINAL

ALD. HINES AND COGGS

Resolution authorizing the City Attorney to commence legal action against the State and its officers regarding the lapse or transfer of about \$1.5 million in recycling grant funds.

The City of Milwaukee has been informed by the State of Wisconsin's Departments of Administration and Natural Resources that the City's 2011 recycling grant will be cut by \$1.5 million. The office of the City Attorney has already begun an investigation into the legality of this decision. This resolution authorizes the office of the City Attorney, if it determines a lawsuit to be "justifiable and viable", to proceed with a lawsuit as soon as is reasonably possible.

Whereas, The Secretaries of the Wisconsin Department of Administration and the Wisconsin Department of Natural Resources have publicly stated their intent to cut the City's annual recycling grant by approximately \$1.5 million; and

Whereas, The City has already budgeted this money for its 2011 recycling program and the loss of these funds will cause the City substantial budgetary hardship; and

Whereas, The City has written to the Secretaries twice to question the legal propriety of these cuts; and

Whereas, The Secretaries have replied and have not set forth a complete legal justification for their actions; and

Whereas, The City Attorney has begun a thorough investigation of the City's ability to bring suit against the Secretaries and any other necessary parties in order to compel payment of these previously promised monies; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that, if the office of the City Attorney determines that a lawsuit to compel payment of these monies is justified and viable, it is authorized to bring suit as soon as is reasonably possible.

Citty Atty.

VM

5/20/11