



## Legislation Text

---

**File #:** 130211, **Version:** 1

---

130211  
SUBSTITUTE 1  
130163, 130164  
THE CHAIR

Substitute resolution reserving and appropriating up to \$460,000 from the 2013 Common Council Contingent Fund to the Outside Counsel/ Expert Witness Fund Special Purpose Account for expenses relating to the City Hall restoration litigation.

The 2013 Budget provided \$430,000 for the Outside Counsel/ Expert Witness Fund SPA, which will not be sufficient to cover the costs associated with the City Hall restoration litigation. This resolution reserves and appropriates up to \$460,000 from the 2013 Common Council Contingent Fund for the expenditures relating to the City Hall restoration litigation.

Whereas, The City has commenced litigation against various defendants involved in the restoration of City Hall to recover its costs to repair the defects in design, construction, and materials; and

Whereas, Over \$150,000 has already been expended in this litigation from the Outside Counsel/ Expert Witness Fund SPA; and

Whereas, The City Attorney's Office anticipates that the necessary expenses to be incurred by prosecuting this litigation will exceed the \$430,000 the 2013 Budget appropriated to the Outside Counsel/ Expert Witness Fund SPA for other matters; and

Whereas, Those litigation expenses will include, but are not limited to, electronic discovery, depositions, construction experts, and construction litigation counsel; and

Whereas, The 2013 City Budget provided \$5 million for the Common Council Contingent Fund, with no expenditures to-date; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that up to \$460,000 shall be reserved and appropriated from the 2013 Common Council Contingent Fund (#0001-9990-C001-006300) (2013) to the Outside Counsel/Expert Witness Fund (#0001-1490-0001-S157) (2013); and, be it

Further Resolved, That the City Comptroller and other appropriate City officials are directed to take whatever steps are necessary to fulfill the intent of this resolution.

City Attorney  
LRB147044-1  
Jim Carroll  
June 3, 2013