

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: August 23, 2016

TO: Theodore Lipscomb, Sr., Chairman, County Board of Supervisors

FROM: Colleen Foley, Interim Corporation Counsel

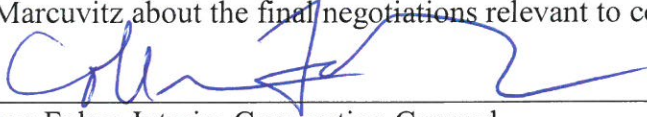
SUBJECT: Contract for von Briesen & Roper, S.C. related to Transit Center

This file is submitted for consideration during the September cycle. It is appropriate for referral to the Committee on Finance and Audit for passive review consideration.¹

The file seeks to add \$50,000 to the \$200,000 litigation contract with the law firm of von Briesen and Roper, S.C. In particular, Attorney Alan Marcuvitz of that firm has been engaged in ongoing, complex work regarding the Couture development plan at the Transit Center property. That work has included completion of a development agreement and formulation of strategies to establish the County's title and rights to the subject property and ability to proceed with the Option to Purchase and Development Agreement in files 14-827 and 14-914, which resulted in a declaratory judgment by the Circuit Court in *Milwaukee County v. Preserve our Parks, LLC*, Case No. 2015-CV-1536.

The contract extension will provide the means for von Briesen to complete the final phase of this project involving preparation and/or approval of relevant documents to complete and close the sale of the Transit Center property and establish the County's continuing rights post-sale. These costs will be funded from Org. Unit 1961, the Litigation Reserve.

I respectfully request that this item be marked for closed session per Wis. Stats. § 19.85(1)(g), so that committee members may, if they wish, confer with my office and Mr. Marcuvitz about the final negotiations relevant to completion of this matter.



Colleen Foley, Interim Corporation Counsel

cc: Kelly Bablitch
Shanin Brown
Erica Hayden
Raisa Koltun

¹ To allow 14 days for the Finance Committee to complete its passive review process at its September 15, 2016 meeting, a fully signed agreement will be submitted on September 2, 2016.