

EFM SUBMISSION NO.: 2013EFM102

PRESENTED: 3-5-13

ADOPTED: 3-20-13

**RESOLUTION AUTHORIZING SETTLEMENT OF
SEWAGE BACKUP AND/OR FLOODING CLAIMS**

BY THE EMERGENCY FINANCIAL MANAGER:

The City received notices from over 100 claimants indicating that they experienced sewage backups and/or flooding in May 2011, July 2011, November 2011, and/or May 2012. After extensive investigation and negotiations, the City has been able to reach an agreement to settle the claims with all 117 Claimants represented by the Law Offices of Dean Yeotis. Each Claimant would receive \$3,000.00, to be paid in two installments. The first installment is to be paid as soon as possible, the second before July 31, 2013; and

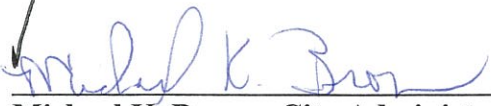
Although the City admits no liability, the Law Department recommends settlement of this matter.

IT IS RESOLVED, that City Officials are hereby authorized to make payment in the amount of \$351,000.00 to the Law Offices of Dean Yeotis, in satisfaction of any and all claims arising out of above described incidents, from appropriated funds in the Suits & Settlements line item 677-266.200-956.300. The first payment of \$175,500.00 will be made immediately. The second payment of \$175,500.00 will occur before July 31, 2013. The balance in the Suits & Settlements line item, as of February 20, 2013, is \$137,048.96.

APPROVED AS TO FORM:

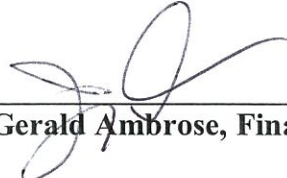


Peter M. Bade, City Attorney



Michael K. Brown, City Administrator

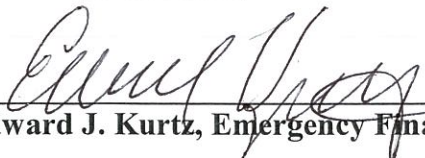
APPROVED AS TO FINANCE:



Gerald Ambrose, Finance Director

EFM DISPOSITION:

ENACT ☒ REFER TO COUNCIL _____ FAIL _____



Edward J. Kurtz, Emergency Financial Manager

DATED: 3-20-13