



PRESENTED: 200488

PRESENTED: NOV 23 2020

ADOPTED: _____

RESOLUTION TO APPROVE SETTLEMENT OF FLINT WATER LITIGATION

BY THE CITY ADMINISTRATOR:

Executive Session was requested in this matter on October 12, 2020, October 26, 2020, November 9, 2020 and November 23, 2020; and

WHEREAS numerous Flint Water Litigation cases – lawsuits arising out of the City’s use of the Flint River from 2014-2015 – have been filed in state and federal court, in which the City of Flint, former City officials, and/or City employees are among those named as defendants; and

WHEREAS multiple other defendants have agreed to resolve, to the maximum extent possible, Flint Water Litigation claims against them, through a Settlement announced in August, 2020, the terms of which were made public on or about November 18, 2020; and

WHEREAS the City may resolve, to the maximum extent possible, the Flint Water Litigation claims against it, its former officials, and/or its former employees, by contributing to and joining in that Settlement; and

WHEREAS the City’s excess liability insurance carrier has agreed to provide \$20 million as the City’s contribution to the Settlement, which will resolve Flint Water Litigation claims against the City, its former officials, and/or its former employees, at no cost to the City and its taxpayers; and

WHEREAS although the City of Flint admits no liability, City Administrator Clyde Edwards and Law Department recommend using the funds provided by the City’s excess liability insurance carrier to settle the Flint Water Litigation cases.

THEREFORE, BE IT RESOLVED that the Flint City Council approves and consents to the City joining the settlement of Flint Water Litigation and authorizes the City Administrator to do all things necessary to settle the Flint Water Litigation matters by using funds provided by its insurer.

APPROVED AS TO FORM:
Angela Wheeler
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:
Amanda Trujillo
Amanda Trujillo, Acting Chief Financial Officer

FOR THE CITY OF FLINT:
Clyde Edwards
Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

Handwritten initials