



City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Text File

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Status: Agenda Ready

In Control: City Council

File Type: Settlement

Title

CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT IN THE AMOUNT OF \$4,103 IN JOSE CHAVEZ VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2010-2021 AND OKLAHOMA SUPREME COURT CASE NO. DF-111249.

Body

BACKGROUND: This case was brought by former Norman Police Officer Jose Chavez seeking payment for a percentage of his unused sick leave. The City denied the claim as not being consistent with the City/FOP Union Contract. Rather than pursue Grievance Arbitration, the case was filed in District Court. The District Court had previously ruled in favor of Mr. Chavez. The City had appealed the ruling. An appellate settlement conference was scheduled for April 25, 2013. Because this matter involves pending litigation, the merits were discussed during an executive session on April 19, 2013, prior to the settlement conference. After the settlement conference, Mr. Chavez tentatively agreed to settle his case for \$4,103. This agreement includes a joint request to vacate the district court judgment. The proposed settlement is consistent with Council feedback received by the City Attorney's office in Executive Session. The proposed settlement is being presented to City Council at this time for consideration.

RECOMMENDATION: As stated, the proposed settlement offer is consistent with Council feedback received by the City Attorney's office in the prior Executive Session. It is believed the proposed settlement is fair, reasonable and in the best interest of the City. If you have questions or need additional information, please let me know.