



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: GID-1415-66

File ID: GID-1415-66

Type: Settlement

Status: Consent Item

Version: 1

Reference: Item No. 22

In Control: City Council

Department: Legal Department

Cost: \$20,000.00

File Created: 11/17/2014

File Name: Decker v. City Settlement

Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT IN THE AMOUNT OF \$20,000 IN DECKER CENTER, L.L.C., VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2013-424(L).

Notes: ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's Office to effectuate the settlement in the amount of \$20,000.

ACTION TAKEN: _____

Agenda Date: 11/25/2014

Agenda Number: 22

Attachments: Text File Decker.pdf

Project Manager: Rick Knighton, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	11/25/2014					

Text of Legislative File GID-1415-66

Body

BACKGROUND: This case was brought by the owner of the Robinson Crossing parking lot, Decker Center, LLC, for damages alleged to have been caused by water main ruptures. Damages claimed in the lawsuit totaled \$232,050 primarily for parking lot repair. A Court-ordered mediation was held on October 17, 2014. During the mediation, Decker Center, LLC tentatively agreed to settle its case for \$20,000, subject to City Council approval.

DISCUSSION: Because this matter involves pending litigation, the merits of the settlement offer and the claims alleged were discussed during an executive session on November 10, 2014. Based on Council's feedback during the executive session, the item is now being brought forward for formal Council consideration.

RECOMMENDATION: It is believed the proposed settlement is fair, reasonable and in the best interest of the City. It is recommended the settlement of this matter be approved by City Council and that City Attorney's

office move forward to finalize the settlement including reducing the settlement amount to Judgment in accordance with 51 O.S. §159, and 62 O.S. §362. The Judgment will then be placed on the property tax rolls for collection over the next three years. This procedure will minimize the impact of the settlement on the general fund.