

RESOLUTION NO. 1709

A RESOLUTION RATIFYING, AUTHORIZING, AND AFFIRMING PAYMENT IN FULL OF A JUDGMENT ENTERED IN CASE NO. CJ-2025-3964, FILED IN THE DISTRICT COURT OF TULSA COUNTY, OKLAHOMA, FROM SURPLUS MONIES IN CITY'S SINKING FUND

WHEREAS, on September 2, 2025, in Case No. CJ-2025-3964, filed in the District Court of Tulsa County, State of Oklahoma, judgment was entered pursuant to a Joint Motion to Settle Claim entered by Plaintiffs Jennifer and James Sellers and Defendant City of Broken Arrow, Defendant, in the sum of \$120,000.00, which judgment has been approved by the Court; and

WHEREAS, a survey of the Sinking Fund by City's Finance Director found a surplus of cash and investments in said fund, over and above accrued liabilities and statutory obligations, which would allow the City of Broken Arrow to pay said judgment in full, including court costs and interest thereon; and

WHEREAS, it was desirable and in the best interest of the City of Broken Arrow to make such present payment out of the City's Sinking Fund and thereafter reimburse the Sinking Fund from subsequent tax levies, as provided by 62 O.S. § 435; and

WHEREAS, on DATE, \$120,000.00 was drawn from the Sinking Fund, with said payment made payable to Fulda Law, PLLC, legal counsel for the Sellers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, that

- (1) Payment of \$120,000.00 to Fulda Law, PLLC, issued September 11, 2025, is hereby ratified, authorized and affirmed;
- (2) The Finance Director is authorized and directed to properly advise the Tulsa County and Wagoner County Excise Boards by appropriate reports, of the prepayment of said judgment in order that said Boards may include said prepaid judgment as a necessary and lawful expense of the Sinking Fund of the City of Broken Arrow, for which appropriate tax levies may be made to replenish said Sinking Fund as provided by the provisions of Title 62 of the Statutes of the State of Oklahoma.

This Resolution is approved and passed in open meeting by the City Council of the City of Broken Arrow on this 21st day of October, 2025.

ATTEST:

Mayor

(SEAL) City Clerk

APPROVED:

City Attorney