



# City of Broken Arrow

## Request for Action

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**File #: 17-1976, Version: 1**

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**Broken Arrow City Council  
Meeting of: 03-21-2017**

**To: Mayor and City Council  
From: Office of the City Attorney**

**Title:**  
**Consideration, discussion, and possible approval of Resolution No. 1004, a Resolution authorizing payment of attorney's fees and costs in the matter of City of Broken Arrow v. Bonnie E. Blalack Living Trust, Case No. CV-2013-00320**

**Background:**

On January 11, 2017, this matter was tried before Judge Rebecca Nightingale in the District Court in and for Tulsa County, Oklahoma. The Defendant was awarded judgment against the City which exceeded the Commissioners' award by 10%, thus entitling her to receive her attorney's fees, court costs and expert witness fees. The Defendant's attorney has filed an Application for Assessment of Defendant's Attorney's Fees, Expert Witness Fees and Court Costs, requesting a \$62,960.01 award consisting of \$39,750.00 in attorney's fees, \$3,560.01 in Court Costs and \$19,650.00 in expert witness fees. The Legal Department has reviewed this statement and found it reasonable under the circumstances considering the length and complexity of this matter. In the event the City were to proceed with a hearing on this matter the Defendant would be entitled to additional fees and costs that could exceed \$62,960.01. Therefore, it is recommended that approval be made to pay \$62,960.01 to resolve this matter.

**Cost: \$62,960.01**

**Prepared By: Beth Anne Childs, City Attorney**

**Reviewed By: Finance Department  
Assistant City Manager - Operations**

**Approved By: Michael L. Spurgeon, City Manager**

**Attachments: Resolution No. 1004**

**Recommendation:**

Approve Resolution No. 1004 and authorize its execution