



City of Broken Arrow

Request for Action

File #: 18-1085, **Version:** 1

Broken Arrow City Council
Meeting of: 9-18-2018

Title:

Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1132, a Resolution authorizing the City Attorney to enter into a proposed Joint Application for Approval of Settlement and a Journal Entry of Judgment in regard to the matter of John F. Loerch, Jr. v. City of Broken Arrow, et al. Case No. CJ-2017-2627 in the District court for Tulsa County, State of Oklahoma and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry of Judgment for the Court's approval, pursuant to 51 O.S. § 158

Background:

On June 30, 2017 John F. Loerch, Jr. filed suit against the City of Broken Arrow, Case No. CJ-2017-2627, alleging the City of Broken Arrow negligently caused a collision between a City of Broken Arrow lawnmower and bicycle driven by Mr. Loerch. Mr. Loerch was diagnosed with a broken right clavicle and fractures of the L1, L2 and L3 vertebra as a result of the collision. A settlement of all claims was reached between the parties in the sum of \$85,000 which Council previously authorized.

The attached Resolution authorizes the Journal Entry of Judgment in this matter as well as direction to prepare and file documentation necessary to effectuate the terms of the settlement.

Cost: \$85,000.00

Funding Source: Debt Service Fund

Requested By: Trevor Dennis, Acting City Attorney

Approved By: Michael L. Spurgeon, City Manager

Attachments: Resolution No. 1132

Recommendation:

Approve Resolution No. 1132 and authorize its execution.