

FACT SHEET

<u>TITLE</u>	<u>DATE</u>	<u>ORIGINATING DEPARTMENT</u>
A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF SHREVEPORT IN THE MATTER ENTITLED "URBAN HOUSING OF AMERICA, INC. V. CITY OF SHREVEPORT AND METROPOLITAN PLANNING COMMISSION OF CADDO PARISH" AND TO OTHERWISE PROVIDE WITH RESPECT THERETO	OCTOBER 8, 2013	OFFICE OF THE CITY ATTORNEY
		<u>SPONSOR</u>
		SAME

PURPOSE

To authorize the settlement of all claims asserted against the City of Shreveport in the matter entitled "Urban Housing of America, Inc., v. City of Shreveport and Metropolitan Planning Commission of Caddo Parish", Civil Action No: 5:09-cv-00317-SMH-MLH, United States District Court, Western District of Louisiana, Shreveport, Division.

BACKGROUND INFORMATION

The City of Shreveport and the Metropolitan Planning Commission of Caddo Parish ("MPC") were initially named as defendants in the above referenced litigation. The MPC has now been dismissed as a party to the litigation. The City desires to settle all claims asserted against it by the plaintiffs in this matter for an amount in excess of \$200,000. Section 26-175(b) of the Code of Ordinances requires that any claim in a lawsuit that is \$200,000 or more may be settled only after it has been approved by the City Council by resolution. This resolution would authorize the settlement of all claims asserted against the City in the above referenced lawsuit for an amount in excess of \$200,000.

TIMETABLE

Introduction and Final Passage - October 8, 2013

DISCUSSION

None

ALTERNATIVES

1. Adopt the resolution as submitted.
2. Amend the resolution.
3. Deny the resolution.

CONCLUSION

Alternative number 1 is recommended.

FACT SHEET PREPARED BY: Terri Anderson-Scott
City Attorney

RESOLUTION NO. _____ OF 2013

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF SHREVEPORT IN THE MATTER ENTITLED “URBAN HOUSING OF AMERICA, INC. V. CITY OF SHREVEPORT AND METROPOLITAN PLANNING COMMISSION OF CADDO PARISH” AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY:

WHEREAS, the City of Shreveport and the Metropolitan Planning Commission of Caddo Parish (“MPC”) were initially named as defendants in the above referenced litigation. The MPC has now been dismissed as a party to the litigation; and

WHEREAS, the City desires to settle all claims asserted against it by the plaintiffs in this matter for an amount in excess of \$200,000; and

WHEREAS, Section 26-175(b) of the Code of Ordinances requires that any claim in a lawsuit that is \$200,000 or more may be settled only after it has been approved by the City Council by resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the Office of the City Attorney is hereby authorized to settle all claims asserted against the City of Shreveport in the above entitled and numbered matter for an amount in excess of \$200,000.

BE IT FURTHER RESOLVED that the Mayor of the City of Shreveport is hereby authorized to execute any and all documents for and on behalf of the City of Shreveport in regard to the settlement.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:

City Attorney’s Office