

September 9, 2021

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: Emergency Ordinance – Garrison Settlement Expenditure

Handwritten: 202102699

Attached is an Emergency Ordinance captioned:

AUTHORIZING the receipt of judgment bond proceeds in the amount of \$500,000 into Judgment Bond Fund 815; and **AUTHORIZING** the expenditure of the sum of \$500,000 from Judgment Bond Fund 815 for the purpose of making payments for settlements and judgments against the City.

This Emergency Ordinance authorizes the receipt of judgment bond proceeds in the amount of \$500,000 into Judgment Bond Fund 815. These funds will be used to settle a claim between the City and the Estate of Leroy Garrison, Jr. regarding the death of Leroy Garrison, Jr. The settlement is established by the terms and conditions of the Settlement Agreement and Release dated July 15, 2021 and is pursuant to an Entry Approving Settlement and Distribution of Wrongful Death and Survival Claims entered on July 9, 2021 in Hamilton County Probate Court Case Number 2019003232. The settlement, which was the result of good faith, arm's length settlement negotiations facilitated by an independent mediator, requires payment of \$500,000 to the Estate of Leroy Garrison, Jr., for the purpose of paying the settlement of a claim for wrongful death and survival claims. This Emergency Ordinance also authorizes that payment.

The reason for the emergency is the immediate need to accomplish the authorized transactions so that the funding described herein is in place immediately to comply with the terms of the settlement agreement, pursuant to an Entry Approving Settlement and Distribution of Wrongful Death and Survival Claims entered on July 9, 2021, in Hamilton County Probate Court Case Number 2019003232.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment