



Legislation Details (With Text)

File #:	19-0514R	Name:	
Type:	Resolution	Status:	Passed
File created:	7/9/2019	In control:	Committee of the Whole
On agenda:	7/15/2019	Final action:	7/15/2019
Enactment date:		Enactment #:	

Title: RESOLUTION APPROVING SETTLEMENT WITH MARINE IRON & SHIP BUILDING COMPANY IN AN AMOUNT UP TO \$35,000 AND PURSUANT TO TERMS OF SETTLEMENT AGREEMENT.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1-Settlement 7-12-19

Date	Ver.	Action By	Action	Result
7/15/2019	1	City Council	adopted	

RESOLUTION APPROVING SETTLEMENT WITH MARINE IRON & SHIP BUILDING COMPANY IN AN AMOUNT UP TO \$35,000 AND PURSUANT TO TERMS OF SETTLEMENT AGREEMENT.

CITY PROPOSAL:

RESOLVED, that the city council approves settlement in an amount up to \$35,000 of all claims or causes of action asserted by Marine Iron & Ship Building Company pursuant to the terms and conditions of a Settlement Agreement, substantially in the form of that attached hereto as Exhibit 1; payment to be made from Fund 610-036-1651-5842 (Self Insurance Fund, Insurance Accounts, General City, Damage & Loss Expense).

FURTHER RESOLVED, that the proper city officials are authorized to take all actions necessary to conclude this matter on a full, final, and complete basis.

STATEMENT OF PURPOSE: This resolution authorizes settlement with Marine Iron & Ship Building Company ("Marine Iron") regarding a dispute over the use of the Minnesota Slip. The City will reimburse Marine Iron for documented, out-of-pocket legal expenses and lost revenue resulting from the City's 2018 Minnesota Slip seawall reconstruction project. Additionally, the parties will enter into: (i) an amendment to an Agreement between Marine Iron and the City dated July 24, 1992 regarding the Minnesota Slip (requiring delivery of a deed in favor of the City for a portion of the Minnesota Slip), which amendment was authorized under Resolution 19-0515; and (ii) a parking easement agreement in favor of Marine Iron over and across property adjacent to the Red Lobster property in Canal Park, which agreement was authorized under Ordinance No. 19-036.

City administration and the city attorney recommend approval of this settlement agreement.