

# GENERAL

## Ordinance Fact Sheet

# 150575

**Ordinance Number**

**Brief Title:** Approval of settlement of the lawsuit pending in Clay County Circuit Court

**Approval Deadline:**

**Reason:** *To approve settlement of First Bank of Missouri v. City of Kansas City, Missouri, Clay County Circuit Court Case No. 12CY-CV02974.*

**Details**

**Positions / Recommendations**

<p><b>Reason for Legislation</b> To seek City Council approval and authorization of \$1,550,000.00 settlement of First Bank of Missouri v. City of Kansas City, Missouri, Clay County Circuit Court Case No. 12CY-CV02974, and for the right to collect and retain future special assessments for the 108th and Cookingham Neighborhood Improvement District.</p> <p><b>Discussion</b> <i>(including relationship to other Council actions)</i> Plaintiff has filed suit against the City of Kansas City, Missouri (ACity@) in the Circuit Court of Clay County, Missouri. The claim asserted by the Plaintiff involves the 108th and Cookingham Neighborhood Improvement District and is for breach of contract.</p> <p>During mediation, an offer of settlement was made for \$1,550,000.00 in exchange for the City receiving the right to collect and retain future special assessments for the 108th and Cookingham Neighborhood Improvement District.</p>	<p><b>Sponsor(s)</b> William D. Geary, City Attorney</p>	
	<p><b>Programs, Departments, or Groups Affected</b> Finance Department</p>	
	<p><b>Applicants/Proponents</b></p>	<p><b>Applicant</b>  City Department  Other</p>
	<p><b>Opponents</b></p>	<p><b>Groups or Individuals</b>  Basis of Opposition</p>
	<p><b>Staff Recommendation</b></p>	<p>9 For 9 Against Reasons Against:</p>
	<p><b>Board or Commission Recommendation</b></p>	<p>9 For 9 Against 9 No Action Taken 9 For, with revisions or conditions</p>
<p><b>Council Committee Action</b></p>	<p>9 Do Pass 9 Do Pass (as amended) 9 Committee Substitute 9 No Recommendation 9 Hold 9 Do Not Pass</p>	

**Policy / Program Impact**

<b>Policy or Program Change</b>	9 No 9 Yes
<b>Operational Impact Assessment</b>	
<b>Finances</b>	
<b>Cost and Revenue Projections</b>	<b>Cost of Legislation</b> \$1,550,000.00  <b>Increase/Decrease in Revenue Expected Annually</b>
<b>Fund Sources</b>	16-1010-131521-B

**Applicable Dates:**

**Fact Sheet Prepared By:**

Douglas McMillan, Senior Associate City Attorney

**Reviewed By:**

William D. Geary, City Attorney

**Reference Numbers**