



**Request for City Council Committee Action  
From the City Attorney's Office**

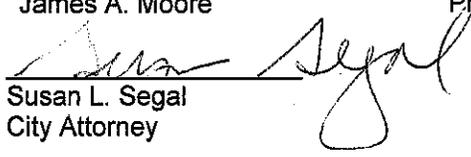
Date: October 5, 2012  
To: Ways & Means/Budget Committee  
Referral to:

**Subject:** *Garr White vs. City of Minneapolis*

**Recommendation:** That the City Council approve the settlement of this case by payment of \$17,500 payable to Garr White and his attorney, Marshall Tanick, from Fund/Org. 6900 150 1500 145685 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

**Previous Directives:**

Prepared by: James A. Moore Phone: (612) 673-2063

Approved by:   
Susan L. Segal  
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

**Financial Impact (Check those that apply)**

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the \_\_\_\_\_ Capital Budget or \_\_\_\_\_ Operating Budget.
- Action provides increased revenue for appropriation increase.
- Action requires use of contingency or reserves.
- Business Plan: \_\_\_\_\_ Action is within the plan. \_\_\_\_\_ Action requires a change to plan.
- Other financial impact (Explain): Payment of \$17,500 from Fund/Org. 6900 150 1500 145685 and payment of individual claims from impound d lot funds on an as-needed basis.
- Request provided to department's finance contact when provided to the Committee Coordinator.

**Community Impact**

- Neighborhood Notification
- City Goal(s):
- Comprehensive Plan
- Zoning Code
- Other

**Background/Supporting Information**

The City Attorney's Office and the Public Works Department are recommending settlement of the claim of Garr White v. City of Minneapolis in the amount of \$17,500 payable to Mr. White and his attorneys, plus certain other relief as described below. The case is a threatened class action claiming that the City did not give adequate notice to owners of vehicles that were impounded and subsequently sold for more than the City's cost of towing and storing the vehicle that, pursuant to statute, the owners could claim the remainder of the proceeds of the sale. Under the settlement the City will agree to mail notice to owners of vehicles sold for more than the City's costs since September, 2009. The City will also publish notice in the Star Tribune and on the City's website that owners of vehicles sold for more than the City's costs since March 1, 2006, can make a claim for the remainder from the proceeds of the sale.