



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

Date: August 23, 2013
To: Ways & Means/Budget Committee
Referral to:

Subject: *Terry Yzaguirre and Jerome Yzaguirre v. City of Minneapolis, Officer Raichert, John Does 1-10, Sgt. Patricia Annoni, Hennepin County, Michael Freeman, and Susan Segal*
United States District Court File No.: 12-130 JRT/AJB

Recommendation: That the City Council approve the settlement of this case by payment of \$3,000 payable to Terry and Jerome Yzaguirre, from Fund/Org. 6900 150 1500 145400 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives:

Prepared by: Tracey N. Fussy Phone: (612) 673-2254

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): \$3,000 Fund/Org. 06900 1500100 145400
 Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact

City Goal(s): A city that works

Background/Supporting Information

Defendant Officer Isaac Raichert entered the home of Terry and Jerome Yzaguirre on December 21, 2011 and towed Jerome Yzaguirre's vehicle. Plaintiff brought a lawsuit alleging unreasonable search and seizure. Defendants' deny these allegations. After global negotiations, a settlement was reached in the amount of \$3,000 and the waiving of towing and storage fees for Yzaguirre's vehicle. The settlement amount has been reviewed and approved by the Litigation Committee. Police Administration has also approved the settlement. Therefore, staff recommends approval of this settlement.

12-11648/tnf