



**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** April 1, 2014

**TITLE:** MOTION - Authorizing Settlement of General Liability Claim GL 12-634  
(Christopher Chen) for \$46,789.

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**Recommendation**

Staff recommends settlement of this general liability claim in the amount of \$46,789 to Christopher Chen.

**Background**

On May 1, 2012, Christopher Chen, the property owner of the single family residence located at 3343 NE 40th Street, made claim for damage to his backyard landscaping, perimeter wall, fence and patio due to a faulty underground outfall drainage pipe that was located in the City's right-of-way. The outfall pipe connected the storm drain located in the street to an outlet in the seawall located at the canal behind Mr. Chen's property. The pipe had developed holes that allowed soil to be drawn into the pipe and washed away into the canal resulting in a large void of removed soil from under the perimeter wall, fence, and patio deck area of his property.

Once the City's pipe was repaired, Mr. Chen was instructed to obtain an estimate for the required repairs to his property. He obtained two repair estimates from contractors which staff then reviewed for accuracy and scope of work required. In addition, the City retained an independent property adjusting firm to provide a comparison quote and pricing for repair of the damages.

The damage repairs in the amount of \$46,789 have been confirmed as in line for what was required to bring the property back to the equivalent condition as before the occurrence for Mr. Chen's backyard landscaping, perimeter wall, fence and patio.

Mr. Chen has agreed to a settlement in exchange for payment of the \$46,789, subject to the approval of the City Commission.

## Resource Impact

<i>Funds available as of March 20, 2014</i>			
ACCOUNT NUMBER	INDEX NAME (Program)	OBJECT CODE/ SUB-OBJECT NAME	PAYMENT AMOUNT
543-INS010101-5113	Self-Insurance Claims	Non-Operating Expenses /General Liability Claims	\$46,789
<b>PAYMENT TOTAL ►</b>			\$46,789

### Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the **Internal Support Cylinder of Excellence**, specifically advancing:

- **Goal 12:** Be a leading government organization, managing our resources wisely and sustainably.
- **Objective 1:** Ensure sound fiscal management.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are United*.

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Prepared by: Alan Harvey, Senior Claims Adjuster

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