



## Legislation Details (With Text)

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**File #:** 11-1034      **Version:** 1      **Name:** CA - marina shipyard settlement  
**Type:** Agenda Item      **Status:** Approved  
**File created:** 10/5/2011      **In control:** City Council  
**On agenda:** 10/18/2011      **Final action:** 10/18/2011  
**Title:** Recommendation to authorize City Manager to execute a settlement agreement and all other necessary documents to settle a dispute between the City and Indel Engineering dba Marina Shipyard.  
**Sponsors:** City Attorney  
**Indexes:** Settlement  
**Code sections:**  
**Attachments:** 1. 101811-C-4sr.pdf

| Date       | Ver. | Action By    | Action                 | Result |
|------------|------|--------------|------------------------|--------|
| 10/18/2011 | 1    | City Council | approve recommendation | Pass   |

Recommendation to authorize City Manager to execute a settlement agreement and all other necessary documents to settle a dispute between the City and Indel Engineering dba Marina Shipyard.

Two separate disputes recently arose between Indel Engineering dba Marina Shipyard ("Indel") and the City. City and Indel disputed the proper interpretation of certain provisions of a Lease pursuant to which Indel leases certain premises from City. City and Indel also disputed the appropriate amount to be paid by City to Indel for services performed by Indel in connection with a City-owned vessel.

The Parties jointly agreed to mediation, and have reached a tentative agreement. City agreed to, among other things, formally recognize certain water areas as part of Indel's leasehold premises in exchange for a \$1,000 monthly increase in base rent, and Indel agreed to decrease its invoice for services performed on the City-owned vessel by approximately \$35,000. The tentative settlement is subject to City Council approval.

The Economic Development and Finance Committee approved the proposed settlement on October 4, 2011.

Approve recommendation.

ROBERT E. SHANNON  
CITY ATTORNEY

by  
Richard F. Anthony  
Deputy City Attorney