



CITY OF TEMPE
REQUEST FOR COUNCIL ACTION

Council Meeting Date: 12/12/2019
Agenda Item: 5A3

ACTION: Approve the Settlement Agreement and any related documents between the City of Tempe and Tom Ryff, dated October 30, 2019, to settle the matter of Maricopa County Superior Court No. CV2017-011151.

FISCAL IMPACT: The total present value of the settlement is \$150,000.

RECOMMENDATION: Approve the Mediation Term Sheet settlement agreement (the "Agreement").

BACKGROUND INFORMATION: Settlement in this matter is made in consideration for the complete release, discharge and waiver of all past, present, and future claims and causes of actions against the City of Tempe and/or any employee or agent of Tempe that are alleged to arise from, or are related to, the alleged breach of the Retirement Agreement's non-disparagement provision. The Agreement requires the City to pay Mr. Ryff \$150,000, and requires Mr. Ryff to provide the City Attorney's Office with all originals and copies of any documentary evidence in his possession within one week of the Council approving the Agreement. The City participated in a mediation process ordered by the court. The City's decision to settle was made to avoid significant expenses associated with protracted litigation.

ATTACHMENTS: Agreement

STAFF CONTACT(S): Michael Niederbaumer, Assistant City Attorney, (480) 350-8227

Department Director: Judi Baumann, City Attorney
Legal review by: Judi Baumann, City Attorney
Prepared by: Jenny Armstrong, Executive Assistant