

# AGENDA REQUEST FORM

**Return completed form and complete agenda item to the Clerk of the Board  
Yakima County Commissioners' Office, Room 232**

Prepared by:  
Cindy Erwin, Paralegal

Department: Corporate Counsel

Requested Agenda Date: 08/22/2023

Presenting: Don Anderson

Document Title:

*Board of County Commissioners Record Assigned*  
#  
**199-2023**

**APPROVED FOR AGENDA:**  
 Consent       Regular  
*Board of County Commissioners Determined*

**IN THE MATTER OF APPROVING SETTLEMENT OF CLAIM No. 27-2023  
FILED BY EDGAR HERNANDEZ**

Action Requested: *Check Applicable Box*

PASS RESOLUTION     EXECUTE or AMEND **AGREEMENT** CONTRACT or GRANT  
 ISSUE PROCLAMATION     PASS ORDINANCE     OTHER \_\_\_\_\_

Describe Fiscal Impact:  

\$3,850.81

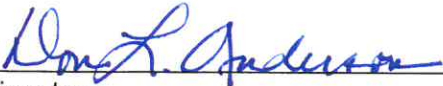
Background Information:  


Mr. Hernandez claims Yakima County should pay to repair and/or replace his car that was damaged by water from a broken water main on March 25, 2023.

Summary & Recommendation:  

Recommend paying the negotiated settlement amount for Claim No. 27-2023.

Motion:

Department Head/ Elected Official  
  
Signature

**AGREEMENT** Attached Is Approved as to Form  
Corporate Counsel Initial 

*Late Agenda Requests Require BOCC Chairman Signature:*  
\_\_\_\_\_

**BOARD OF YAKIMA COUNTY COMMISSIONERS  
RESOLUTION**

**IN THE MATTER OF APPROVING  
SETTLEMENT OF CLAIM No. 27-2023  
FILED BY EDGAR HERNANDEZ**

**199 - 2023**

**WHEREAS**, Mr. Hernandez claims Yakima County should pay to repair and/or replace his car that was damaged by water from a broken water main on March 25, 2023; **and**,

**WHEREAS**, the Corporate Counsel Division of the Yakima County Prosecuting Attorney's Office has investigated Mr. Hernandez's claim and recommends settlement of all claims relating to the Incident, without admission of liability by any party, by payment of Three Thousand Eight Hundred Fifty Dollars and Eighty-One Cents (\$3,850.81) to Edgar Hernandez in exchange for a complete settlement and release of all claims relating to the Incident; **and**,

**WHEREAS**, the Washington Counties Risk Pool (WCRP), subject to reimbursement by Yakima County, will prepare and deliver payment of Three Thousand Eight Hundred Fifty Dollars and Eighty-One Cents (\$3,850.81) to Edgar Hernandez as settlement of this claim; **now therefore**,

**BE IT HEREBY RESOLVED**, by the Board of Yakima County Commissioners that Yakima County pay Edgar Hernandez Three Thousand Eight Hundred Fifty Dollars and Eighty-One Cents (\$3,850.81) to settle all claims relating to the Incident, without admission of liability by any party; **now, therefore**,

**BE IT FURTHER RESOLVED** that the Prosecuting Attorney's Office, Corporate Counsel is authorized and directed to provide a copy of this resolution to Chief Civil Deputy Prosecuting Attorney Don Anderson so that he may arrange for payment from Yakima County Fund 520 of a total of Three Thousand Eight Hundred Fifty Dollars and Eighty-One Cents (\$3,850.81) to reimburse the Washington Counties Risk Pool for the settlement payment. The Chief Civil Deputy is further authorized to take whatever actions are reasonable and prudent to conclude the settlement provided by this resolution.

**DONE this 22nd day of August, 2023.**

*Attest:*

\_\_\_\_\_  
LaDon Linde, Chair

\_\_\_\_\_  
Julie Lawrence, Clerk of the Board  
Erin Franklin, Deputy Clerk of the Board

\_\_\_\_\_  
Amanda McKinney, Commissioner

\_\_\_\_\_  
Kyle Curtis, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*