

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: 09/12/2023

Presenting: Don Anderson

Document Title:

Board of County Commissioners Record Assigned

220-2023

APPROVED FOR AGENDA:
 Consent Regular
Board of County Commissioners Determined

**IN THE MATTER OF APPROVING SETTLEMENT OF CLAIM No. 37-2023
FILED BY VENTURA HERNANDEZ**

Action Requested: *Check Applicable Box*

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

Describe Fiscal Impact:

\$2,467.97

Background Information:

Mr. Hernandez claims Yakima County should pay him \$2,467.97 to cover the cost to remove water and dry out his basement after it was damaged by water from a broken water main on March 25, 2023.

Summary & Recommendation:

Recommend payment of Claim No. 37-2023.

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. 37-2023
FILED BY VENTURA HERNANDEZ**

WHEREAS, Mr. Hernandez claims Yakima County should pay him \$2,467.97 to cover the cost to remove water and dry out his basement after it 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 Two Thousand Four Hundred Sixty-Seven Dollars and Ninety-Seven Cents (\$2,467.97) to Ventura 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 Two Thousand Four Hundred Sixty-Seven Dollars and Ninety-Seven Cents (\$2,467.97) to Ventura Hernandez as settlement of this claim; **now therefore**,

BE IT HEREBY RESOLVED, by the Board of Yakima County Commissioners that Yakima County pay Ventura Hernandez Two Thousand Four Hundred Sixty-Seven Dollars and Ninety-Seven Cents (\$2,467.97) 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 Two Thousand Four Hundred Sixty-Seven Dollars and Ninety-Seven Cents (\$2,467.97) 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 12th day of September, 2023.

Attest:

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

LaDon Linde, Chair

Amanda McKinney, Commissioner

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