

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: 03/10/2020

Presenting: Don Anderson

Document Title:

Board of County Commissioners Record Assigned
078 - 2020

APPROVED FOR AGENDA:
 Consent Regular
Board of County Commissioners Determined

In the matter of approving settlement of Claim No. 11-2020 filed by Progressive Insurance on behalf of their insured Almonte Trucking, LLC.

Action Requested: *Check Applicable Box*

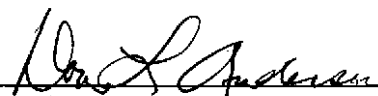
PASS RESOLUTION EXECUTE or AMEND **AGREEMENT** CONTRACT or GRANT
 ISSUE PROCLAMATION PASS ORDINANCE OTHER _____


Describe Fiscal Impact:
\$3,735.15

Background Information:
As a sheriff deputy moved to the right in his lane of travel to avoid an object laying partially over the fog line, he bumped into the semi-truck traveling next to him.

Summary & Recommendation:
Recommend payment of the subrogation amount submitted by Progressive Insurance.

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. 11-2020
FILED BY PROGRESSIVE INSURANCE
ON BEHALF OF THEIR INSURED
ALMONTE TRUCKING, LLC**

078 - 2020

WHEREAS, Progressive Insurance claims that Yakima County should reimburse them \$3,735.15 for damage done to a truck owned by Almonte Trucking by a Yakima County Sheriff Deputy on January 20, 2020; **and**,

WHEREAS, the Corporate Counsel Division of the Yakima County Prosecuting Attorney's Office has investigated Progressive Insurance's claim and recommends settlement of all claims relating to the Incident, without admission of liability by any party, by payment of the settlement amount of Three Thousand Seven Hundred Thirty-Five Dollars and Fifteen Cents (\$3,735.15) to Artisan and Truckers Casualty Company as Subrogee of Almonte Trucking LLC, 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 Seven Hundred Thirty-Five Dollars and Fifteen Cents (\$3,735.15) to Artisan and Truckers Casualty Company as Subrogee of Almonte Trucking LLC, as settlement of this claim; **now therefore**,

BE IT HEREBY RESOLVED, by the Board of Yakima County Commissioners that Yakima County pay Artisan and Truckers Casualty Company as Subrogee of Almonte Trucking LLC Three Thousand Seven Hundred Thirty-Five Dollars and Fifteen Cents (\$3,735.15) 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 \$3,735.15 (Three Thousand Seven Hundred Thirty-Five Dollars and Fifteen Cents) 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 10th day of March, 2020.

Attest:

Melissa Paul, *Clerk of the Board*

Linda Kay O'Hara, *Deputy Clerk*

Norm Childress, *Chairman*

Ron Anderson, *Commissioner*

Vicki Baker, *Commissioner*
*Constituting the Board of County Commissioners
for Yakima County, Washington*