

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: 03/24/2020

Presenting: Don Anderson

Document Title:

In the matter of approving settlement of Claim No. 16-2020 filed by Tony Torres on behalf of Michelsen Packaging.

Action Requested: *Check Applicable Box*

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

Describe Fiscal Impact:

\$2,697.29

Background Information:

A solid waste truck damaged a fire suppression line and bay door.

Summary & Recommendation:

Recommend payment of Claim No. 16-2020

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 County Commissioners Record Assigned

#

112-2020

APPROVED FOR AGENDA:

Consent Regular

Board of County Commissioners Determined

**BOARD OF YAKIMA COUNTY COMMISSIONERS
RESOLUTION**

**IN THE MATTER OF APPROVING
SETTLEMENT OF CLAIM No. 16-2020
FILED BY TONY TORRES ON BEHALF
OF MICHELSEN PACKAGING**

112-2020

WHEREAS, Mr. Torres claims Yakima County should reimburse Michelsen Packaging \$2,697.29, for the cost to repair a damaged sprinkler line and a bay door that were damaged on January 8, 2020; **and**,

WHEREAS, the Corporate Counsel Division of the Yakima County Prosecuting Attorney's Office has investigated Michelsen Packaging'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 Two Thousand Six Hundred Ninety-Seven Dollars and Twenty-Nine Cents (\$2,697.29) to Michelsen Packaging, 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 Six Hundred Ninety-Seven Dollars and Twenty-Nine Cents (\$2,697.29) to Michelsen Packaging, as settlement of this claim; **now therefore**,

BE IT HEREBY RESOLVED, by the Board of Yakima County Commissioners that Yakima County pay Michelsen Packaging Two Thousand Six Hundred Ninety-Seven Dollars and Twenty-Nine Cents (\$2,697.29) 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 Six Hundred Ninety-Seven Dollars and Twenty-Nine Cents (\$2,697.29) 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 24rd 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*