



Legislation Details (With Text)

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In control: City Council Regular Meeting

On agenda: 3/21/2017 **Final action:**

Title: Settlement and Release with Marsha Weiss (City Attorney Barrow and Human Resources Director Zadroga-Haase).
APPROVE

Sponsors:

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Attachments: 1. Settlement and Release

Date	Ver.	Action By	Action	Result
3/21/2017	1	City Council Regular Meeting		

TO:
Honorable Mayor and Members of the City Council

THROUGH:
Mark Danaj, City Manager

FROM:
Quinn Barrow, City Attorney
Teresia Zadroga-Haase, Human Resources Director

SUBJECT:
Settlement and Release with Marsha Weiss (City Attorney Barrow and Human Resources Director Zadroga-Haase).
APPROVE

RECOMMENDATION:
Staff recommends that the City Council approve the settlement and release in the amount of \$26,000 with Marsha Weiss.

FISCAL IMPLICATIONS
The \$26,000 settlement will be paid out of existing appropriations in the insurance fund.

BACKGROUND
This claim stems from a City sewage back up that allegedly caused flooding in the residence of Marsha Weiss. This is a general liability claim and the City's self-insured retention (SIR) for general liability claims is \$500,000. The full value of this settlement is within the City's SIR.

DISCUSSION
Due to the nature of the claim, we recommended settlement discussions to avoid litigation costs.

After negotiations, Ms. Weiss agreed to settle her claim for \$26,000 in return for a full release of all claims arising from the incident.

Consistent with Council direction to place proposed settlements on Council agendas, the proposed settlement agreement is attached for Council consideration.

LEGAL REVIEW

The settlement and release document has been prepared by and approved by Special Counsel as to legal form.

CONCLUSION

Staff recommends that City Council approve the settlement and release and authorize the City Manager to execute the agreement.

Attachment:

1. Settlement and Release