



## Staff Report

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**File #:** 19-381

**Version:** 1

**Date:** 8/12/2019

**Item #:** 3.3g.

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Mina Hanssen, Human Resources Director

### **SUBJECT:**

Claim Settlement Authorization.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s):

### **ISSUE:**

Shall the City Council authorize the City Manager to resolve a lawsuit brought by Bethany Elliott in an amount not to exceed \$75,000.

### **RECOMMENDATION:**

Authorize the City Manager to resolve the matter of the Bethany Elliott lawsuit in an amount not to exceed \$75,000. Payment will be made from the City's self-insurance claim fund.

### **SUMMARY:**

A lawsuit is currently pending in Polk County Circuit Court for the State of Oregon. Through settlement negotiations, the City has agreed to resolve all claims associated with the lawsuit in consideration of a payment of \$75,000.

### **FACTS AND FINDINGS:**

The terms of the settlement constitute a full and final settlement of all claims related to this action. The City's Attorney, Public Works Director of Operations, and Risk Manager recommend the City Council authorize the City Manager to settle this matter and issue payment as outlined above.

Marcus Pitts  
Risk Manager