

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8537 authorizing execution of all documents necessary to implement settlement of the lawsuit for personal injury damages filed by Evelyn Rissman against the City.

FISCAL IMPACT

The settlement of this lawsuit requires a total payment of \$750,000 to Evelyn Rissman. Ms. Rissman has previously been paid the sum of \$20,973 for lost wages she incurred in 2011. Sufficient funds exist within the City's General Self-Insurance Fund for the remaining payment of \$729,027.

STAFF CONTACT

Lori M. Riordan, City Attorney, 425-452-6829
Cheryl Zakrzewski, Assistant City Attorney, 425-452-6829
City Attorney's Office

POLICY CONSIDERATION

Pursuant to Bellevue City Code 4.36.030, settlement and payment of claims exceeding \$20,000 requires the authorization of City Council.

BACKGROUND

On about January 3, 2011, Evelyn Rissman was injured when she was struck by a motor vehicle driven by a City employee as she crossed 112th Avenue NE in a marked crosswalk. Ms. Rissman filed a lawsuit against the City on or about January 7, 2011 seeking recovery for the injuries she sustained as a result of the incident.

The City Attorney's Office recommends settlement of Ms. Rissman's lawsuit for a total of \$750,000. The Risk Management Office concurs with this recommendation. A copy of the settlement agreement providing the City with a release from all claims arising from this incident prior to disbursement of the final settlement funds is available in Council office.

EFFECTIVE DATE

If adopted, this Resolution will be effective immediately.

OPTIONS

1. Adopt Resolution No. 8537 authorizing execution of all documents necessary to implement settlement of the lawsuit brought by Evelyn Rissman against the City.
2. Do not adopt Resolution No. 8537 and provide alternative direction to staff.

RECOMMENDATION

Adopt Resolution No. 8537 authorizing execution of all documents necessary to implement settlement of the lawsuit brought by Evelyn Rissman against the City.

MOTION

Move to adopt Resolution No. 8537 authorizing execution of all documents necessary to implement settlement of the lawsuit brought by Evelyn Rissman against the City.

ATTACHMENTS

Proposed Resolution No. 8537

AVAILABLE IN COUNCIL OFFICE

Settlement Agreement

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8537

A RESOLUTION authorizing the execution of all documents necessary for approval of a total payment in the amount of \$750,000 to implement settlement of the lawsuit for personal injury damages filed by Evelyn Rissman.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The Council approves payment in the amount of \$750,000 in exchange for a Release of All Claims in final settlement of a lawsuit filed by Evelyn Rissman against the City for personal injury damages, a copy of which Release of All Claims agreement has been given Clerk's Receiving No. _____.

Passed by the City Council this _____ day of _____, 2013, and signed in authentication of its passage this _____ day of _____, 2013.

(SEAL)

Conrad Lee, Mayor

Attest:

Myrna L. Basich, City Clerk