

10 R.L.
RESOLUTION NO. 2010-07

A RESOLUTION authorizing the City Manager of the City of Bainbridge Island to resolve and settle any claims against or by the City in an amount of \$30,000 or less, and to execute all documents necessary for the resolution or settlement of such claims.

WHEREAS, each year the City of Bainbridge Island receives a number of damage claims and is subject to a number of lawsuits; and

WHEREAS, dependent upon a number of factors (i.e., facts and circumstances, potential liability exposure, and costs and resources associated with defending the respective claim), some of these claims and/or lawsuits are appropriate for settlement discussions and resolution short of litigation; and

WHEREAS, consistent with RCW 35A.11.010 (which provides in part that the City may “by and through its legislative body” enter into contracts), settlement agreements are generally considered and approved by City Council in open public session; and

WHEREAS, it is recognized that such Council approval is not necessary for any settlement/release agreement that is authorized by Washington Cities Insurance Authority (“WCIA”) when WCIA provides the entire settlement payment and the City has no contractual obligations under such settlement/release agreement; and

WHEREAS, RCW 35A.13.080(1) provides that the City Manager shall have general supervision over the administrative affairs of City government; and

WHEREAS, RCW 35A.13.080(9) provides that the City Manager shall perform such other duties as the Council may determine by ordinance or resolution; and

WHEREAS, under BIMC 3.70.020(E), the City Council has previously authorized the City Manager to execute professional and nonprofessional contracts with a value of less than \$30,000 per year on behalf of the City when such contracts have been approved in the City budget; and

WHEREAS, in order to streamline this settlement process with regard to smaller damage claims/lawsuits, it is recommended and respectfully requested that the City Council authorize the City Manager to execute all necessary documents relating to resolution or settlement of claims against or by the City in an amount of \$30,000 or less; and

WHEREAS, the City Council finds it to be in the best interest of the City to authorize the City Manager to execute all necessary documents relating to resolution or settlement of claims against or by the City in an amount of \$30,000 or less; now, therefore,

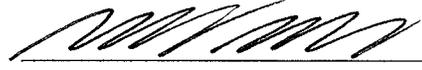
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND:

The City Council authorizes the City Manager to resolve and settle any claims against or by the City of Bainbridge Island in an amount of \$30,000 or less, and to execute all necessary documents, including settlement agreements relating to such claims, and to authorize and approve the issuance of warrants pursuant to the resolution of such claims. Claims settled by the

City Manager under this authority will be reported to the City Council at the Special City Council Meeting/Study Session following the settlement.

PASSED by the City Council this 14th day of July, 2010.

APPROVED by the Mayor this 14th day of July, 2010.



Bob Scales, Mayor

ATTEST/AUTHENTICATE:



Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	June 29, 2010
PASSED BY THE CITY COUNCIL:	July 14, 2010
RESOLUTION NO.	2010-0716 P.H.