

THE CITY OF GREELEY, COLORADO

RESOLUTION ____ , 2019

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREELEY,
COLORADO AUTHORIZING CITY STAFF TO ENTER INTO A
SETTLEMENT AGREEMENT WITH NICOLA MOORE AND LEVI BERIG**

WHEREAS, Nicola Moore filed a Claim and Demand Letter to CCMSI, City of Greeley claim adjusting service provider, on March 21, 2019, against the City of Greeley regarding damages she sustained in a traffic accident on November 27, 2017, including loss of consortium damages sustained by herself and her husband, Levi Berig; and

WHEREAS, the City's Risk Manager, in conjunction with the City Attorney's Office and as authorized in Section 4.18.040(a) of the Greeley Municipal Code, has been involved in investigating Ms. Moore's and Mr. Berig's claims; and

WHEREAS, the parties have negotiated a settlement that resolves all issues involved in the claim but which is fully contingent upon Council's approval pursuant to Section 4.18.040(b); and

WHEREAS, settlement of the claim will include the full release of all claims against the City of Greeley, its officers and employees as required by Section 4.18.040(e); and

WHEREAS, the City's Risk Manager and the City Attorney's Office believe it is in the best interests of the City of Greeley to approve a settlement of this litigation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

1. City Council authorizes City staff members to sign a Mutual Release and Settlement Agreement with Nicola Moore, Levi Berig, and their counsel of record that resolves all claims associated with this incident which occurred on November 27, 2017.
2. The City Attorney is authorized to make changes to the Mutual Release and Settlement Agreement following review and approval by City Council as long as such changes do not change the substance of the agreement.
3. This Resolution shall become effective immediately upon its passage.

PASSED, AND ADOPTED, SIGNED AND APPROVED this ____ day of _____, 2019.

ATTEST:

THE CITY OF GREELEY, COLORADO

By: _____

By: _____

Mayor