



Date: Tuesday, August 8, 2023

Honorable Mayor and Council Members:

Author and title: Cindy Peterson, Finance Manager

Title: **Authorize the Settlement and Payment Release of Damage Claim**

Approved By: _____ Jen Callaway, Town Manager

Recommended Action: That Council authorize the Town Manager to offer a settlement to the Truckee Donner Public Utilities District (TDPUD) for \$15,130.69 for a damage claim filed against the Town.

Discussion: On December 10, 2022, there was a collision between the TDPUD (claimant) and a Town operated snow plow at the intersection Snowshoe Circle and Rainbow Drive.

Police were called to the scene and after an investigation and statements received from both parties, the police report determined that the Town snow plow caused the accident due to unsafe backing. Dan Wilkins, Director of Public Works and Jen Callaway, Town Manager have reviewed the claim information and have recommended that the Town approve this claim for payment.

The Town's claims administration company, George Hills Inc, handled the claims processing for the Town. They will offer the TDPUD the settlement and will bill the Town if the TDPUD accepts the settlement. Town Municipal Code Section 3.16.010.1 (d) requires that the Town Council recommend settlement or denial for claims of \$10,000 or more.

Documentation related to this claim is in the risk management file and is available for your review.

Priority:

<input type="checkbox"/> Enhanced Communication	<input type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/> Core Service

Fiscal Impact: The Town will offer \$15,130.69 in exchange for full and final settlement of the claim. This will come from the snow removal budget for fiscal year 2022/2023. Staff anticipate that there is sufficient budget to cover this expense.

Public Communication: N/A

Attachments: N/A