



Date: Tuesday, February 25, 2025

Honorable Mayor and Council Members:

Author and title: Nicole Casey, Administrative Services Director

Title: **Authorize the Town Manager to Enter Settlement Agreement**

Jen Callaway, Town Manager

Recommended Action: That the Council authorize the Town Manager to enter a settlement agreement in the amount of \$30,000 in the matter of Dreyer v. Town of Truckee.

Discussion: On February 7, 2023, the Town of Truckee received a completed claim from Porter Simon/Brian Dreyer for \$2,000,000+ in medical and economic damages, lost income, non-economic damages, and general damages related to a bicycle accident that occurred on August 9, 2022 on Glenshire Drive.

Council rejected that claim on Tuesday, March 28, 2023. The link to that agenda item is below as Link 1. The Town tendered defense and indemnity of this matter to the contractor, Advanced Asphalt who was contracted to complete road maintenance work on Glenshire Drive at the time the alleged incident occurred.

On September 26, 2023, Porter Simon filed a suit against the Town, Advanced Asphalt Companies, and Capital Barricade, a subcontractor on the project with the Nevada County Superior Court. Advanced Asphalt's insurance company agreed to indemnify the Town and cover the costs of associated with an attorney to defend the Town's interests. The parties met on February 6, 2025 for pretrial mediation. They were able to reach a settlement agreement. As part of that settlement, the Town would pay \$30,000.

Although the Town's purchasing rules allow the Town Manager to sign agreements up to \$50,000, staff is requesting Council authority in the name of transparency.

Staff requests that Council authorize the Town Manager to enter a settlement agreement in the amount of \$30,000 in the matter of Dreyer v. Town of Truckee.

Priority:

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Enhanced Communication
Infrastructure Investment

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Climate and Greenhouse Gas Reduction
Emergency and Wildfire Preparedness

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Housing
Core Service

Fiscal Impact: If Council does not authorize, there would be significant litigation costs associated with the suit proceeding to trial.

Public Communication: n/a

Attachments: Link 1 – Claim for Damages against the Town of Truckee:

<https://portal.laserfiche.com/Portal/DocView.aspx?id=59647589&repo=r-6a91ddbc>