



Legislation Text

File #: O-369-19, Version: 1

Marsh, Autumn  
Department of Law  
John E. Bibish IV (x1113)  
Revised

**Authorizing the pre-suit settlement of a negligence claim of the City of Toledo against Autumn Marsh for damages to a police vehicle arising from a May 6, 2018 motor vehicle accident for the sum of \$25,000; authorizing the Director of Finance to deposit the settlement proceeds into the Capital Improvement Fund; and declaring an emergency.**

SUMMARY & BACKGROUND:

This ordinance authorizes the acceptance of a pre-suit liability insurance policy limit of Twenty Five Thousand 00/100 Dollars (\$25,000.00). On May 6, 2018, a collision occurred at the intersection of Dorr and Collingwood in Toledo, Ohio. A city police vehicle was damaged in an amount estimated at Thirty Seven Thousand Seven Hundred Forty and 30/100 Dollars (\$37,740.30). The collision was caused by the negligence of Autumn Marsh and her insurance has tendered her policy limits of Twenty Five Thousand and 00/100 Dollars (\$25,000.00).

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$0
- The expenditure budget line item: n/a
- New revenue generated (operational revenue, grants, if any): \$25,000
- Revenue budget line item (if any): 5040-14200-408990- 1132001STDSTD
- Are funds budgeted in the current fiscal year (yes/no)? :no
- Is this a capital project (yes/no)? n/a
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) no
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) no

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is authorized to accept \$25,000 in full and final settlement of the city's property damage negligence claim against Autumn Marsh arising from a May 6, 2018 motor vehicle accident.

SECTION 2. That the Director of Finance is authorized to deposit \$25,000 in settlement proceeds into the Capital Improvement Fund, Account Code 5040-14200-1132001STDSTD.

SECTION 3. That this Ordinance, being an emergency measure, shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that this must be immediately effective in order

to timely implement the settlement.

Vote on emergency clause: yeas 12, nays 0.

Passed: August 6, 2019, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

August 6, 2019  
Wade Kapszukiewicz  
Mayor