



Legislation Details (With Text)

File #: O-506-18 **Version:** 1 **Name:**
Type: Ordinance **Status:** Mayor's Office
File created: 11/16/2018 **In control:** Law Department
On agenda: 12/4/2018 **Final action:** 12/4/2018
Title: Authorizing the settlement of the claim of Robert S. Mish for personal injuries for the sum of \$275,000 in settlement of the claims of Plaintiff; authorizing the expenditure of \$275,000 from the Risk Management Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: O-506-18 Agenda Review 11/27/2018

Date	Ver.	Action By	Action	Result
12/4/2018	1	City Council	Dispense with the rules of council requiring	Pass
12/4/2018	1	City Council	declare emergency	Pass
12/4/2018	1	City Council	passage	Pass

Mish
Department of Law
T. Green (x1037)
(Revised)

Authorizing the settlement of the claim of Robert S. Mish for personal injuries for the sum of \$275,000 in settlement of the claims of Plaintiff; authorizing the expenditure of \$275,000 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Robert S. Mish filed a claim for his injuries as a result of a motor vehicle accident on May 14, 2017, which he alleges were caused by the City's negligence. Mr. Mish's injuries required surgeries to repair fractures to his leg and left shoulder. Mr. Mish returned to work on October 9, 2017.

A proposed agreement has been reached in the amount of \$275,000 to settle all of Mr. Mish's claims resulting from the accident without constituting an admission of liability for any violation of state or federal law.

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

SECTION 1. That an expenditure in the amount of \$275,000 is authorized from the Risk Management Fund, Account Code 7095-12000-1157001STDSTD, in settlement of the claims from Robert Mish against the City of Toledo.

SECTION 2. That payment of these claims is contingent upon the execution of the proper releases by the claimant.

SECTION 3. That the Director of Finance is authorized to draw her warrant or warrants to Robert S. Mish and his Attorney Steven P. Collier in the sum of \$275,000 against the account code listed in Section 1 upon presentation of the proper voucher or vouchers.

SECTION 4. 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 ordinance is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this ordinance must be immediately effective in order to implement the settlement in accordance with the conditional agreement of the administrator.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council _____.

Attest: _____
Clerk of Council