



Legislation Details (With Text)

File #: O-369-19 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 7/23/2019 **In control:** Law Department
On agenda: 8/6/2019 **Final action:** 8/6/2019
Title: 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: Agenda Review 7/30/2019, 2. Audio: City Council 8/6/2019

Date	Ver.	Action By	Action	Result
8/6/2019	1	City Council	Dispense with the rules of Council requiring...	Pass
8/6/2019	1	City Council	declare emergency	Pass
8/6/2019	1	City Council	passage	Pass

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