



Legislation Details (With Text)

File #: 23-0301 **Version:** 1 **Name:** 3/6/23 Kosnoski Settlement Agreement
Type: Resolution **Status:** Passed
File created: 3/6/2023 **In control:** City Council
On agenda: 3/6/2023 **Final action:** 3/6/2023
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Title: Resolution to Authorize Settlement of Claim by Jason Kosnoski

Sponsors:

Indexes:

Code sections:

Attachments: 1. Kosnoski Settlement Agreement-Partially Executed.pdf

Date	Ver.	Action By	Action	Result
3/6/2023	1	City Council	Approved	Pass

Resolution to Authorize Settlement of Claim by Jason Kosnoski

Prepared by: Jennifer Richards, Assistant City Attorney

Reviewed by: Atleen Kaur, City Attorney

Whereas, Jason Kosnoski has asserted a claim against the City alleging personal injuries and damages resulting from an incident on October 15, 2023 in which Jason Kosnoski suffered an injury to his ankle from stepping in a hole while running on Brooks Street;

Whereas, The City disputes the claim and that it is responsible for the incident or resulting injury and damages;

Whereas, The parties now desire to settle and resolve the disputed claim and without an admission of liability on the part of any party, wherein the City will pay \$15,000.00 to Jason Kosnoski in exchange for a settlement agreement and a release of all claims against the City; and

Whereas, The City Attorney's Office has advised City Council on this matter in an attorney-client privileged and confidential Legal Advice Memorandum dated February 21, 2023;

RESOLVED, That City Council authorizes the City Attorney to fully resolve the claims by Jason Kosnoski for a payment of \$15,500.00 from the Major Street Fund, contingent on the receipt of a settlement agreement and release of all claims acceptable to the City Attorney; and

RESOLVED, That the Mayor, Clerk, City Administrator and City Attorney are authorized to take actions to implement this resolution, including signing a settlement agreement.