

CITY COUNCIL REGULAR SESSION

Resolution authorizing execution of all documents necessary to implement settlement of the lawsuit brought by David Irwin in *Irwin v. City of Bellevue et al.* (King County Superior Court Case No. 22-2-17838-8 SEA).

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City Attorney's Office

EXECUTIVE SUMMARY

This Resolution authorizes settlement of the lawsuit brought by David Irwin related to an incident that occurred on January 29, 2022 at the Bellevue Downtown Park for a payment of \$225,000 by the City.

RECOMMENDATION

Move to adopt Resolution No. 10372.

BACKGROUND/ANALYSIS

This lawsuit involves claims brought by David Irwin for damages he sustained as a result of an incident that occurred at the Bellevue Downtown Park on January 29, 2022. Mr. Irwin suffered significant injuries and medical expenses as a result of this incident. Mr. Irwin alleges that a portion of the City's pathway at the Bellevue Downtown Park was knowingly dangerous. The City denies these allegations.

POLICY & FISCAL IMPACTS**Policy Impact**

Bellevue City Code 4.28.030 provides that settlement and payment of claims exceeding \$75,000 require Council approval.

Fiscal Impact

The settlement of the claims brought by David Irwin requires payment of \$225,000 by the City. Sufficient funds exist with the City's General Self-Insurance Fund for this payment.

OPTIONS

1. Adopt the Resolution authorizing execution of all documents necessary to implement settlement of the lawsuit brought by David Irwin in *Irwin v. City of Bellevue et al.* (King County Superior Court Case No. 22-2-17838-8 SEA).
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

Proposed Resolution No. 10372

AVAILABLE IN COUNCIL LIBRARY

Copy of the Settlement Agreement and Release