



# City of Yuma

## Legislation Text

File #: MC 2024-086, Version: 1

	STRATEGIC OUTCOMES	ACTION
<b>DEPARTMENT:</b> City Attorney	<input type="checkbox"/> Safe & Prosperous	<input checked="" type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
<b>DIVISION:</b> -	<input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
	<input type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

**TITLE:**

**Settlement: Heebink Claim**

**SUMMARY RECOMMENDATION:**

Authorize settlement of a Notice of Claim submitted on behalf of Christian Heebink. (City Attorney) (Richard Files)

**STRATEGIC OUTCOME:**

The resolution of this claim supports the City Council's Respected and Responsible strategic outcome.

**REPORT:**

This claim stems from a rear-end traffic accident involving a City employee driving a City of Yuma Police vehicle on October 5, 2023. On or about February 15, 2024, Mr. Heebink submitted a Notice of Claim seeking \$100,000.00 to settle his personal injury and property damage claims. Mr. Heebink's total medical costs were \$20,401.00 and his vehicle property damage was valued at \$5,572.82. After negotiations, Mr. Heebink, through his attorney, agreed to settle his personal injury and property damage claims for \$45,000.00. All settlements over \$25,000.00 are subject to City Council approval.

The City Attorney's Office recommends approval of this settlement to obtain a full and final release of all claims alleged by the claimant.

Adoption of this motion authorizes and directs the City Attorney's Office to settle the Heebink claim for \$45,000.00 for personal injuries and property damage.

**FISCAL REQUIREMENTS:**

CITY FUNDS:	\$ 45,000.00	BUDGETED:	\$ 45,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 45,000.00			
502-20-10.6305			
To total; right click number & choose "Update Field"			

**FISCAL IMPACT STATEMENT:**

NONE

**ADDITIONAL INFORMATION:**

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 6/18/2024
Reviewed by City Attorney: Richard W. Files	Date: 6/17/2024