

## Legislation Details (With Text)

<b>File #:</b>	15-3956	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Report	<b>Status:</b>		Consent Calendar	
<b>File created:</b>	8/6/2015	<b>In control:</b>		City Council	
<b>On agenda:</b>	8/13/2015	<b>Final action:</b>		8/13/2015	
<b>Title:</b>	LIABILITY CLAIMS/LAWSUITS				

The claim(s)/lawsuit(s) listed below was/were received by the City. Where applicable, the claim (s)/lawsuit(s) have been/are being researched and/or reviewed by Washington Cities Insurance Authority (WCIA). The claim(s)/lawsuit(s) status is/are as follows:

### NEW:

Marina Pisarchuk, DOI: 06/25/2015. Claimant alleges that the sewer backed up into her home and costs were incurred to repair the damage. \$664.20 claimed.

Kenneth Davis, DOI: 07/23/2015. Claimant alleges that when he was pushing his father in his wheelchair, a crack in the sidewalk caused damage to the wheel. A new wheelchair had to be purchased because the wheel could not be repaired. \$124.99 claimed.

Myrna Schooff, DOI: 07/20/2015. Claimant alleges that a broken sidewalk caused her to trip and fall, resulting in multiple injuries. Medical costs were incurred. \$1255.00 claimed.

First Baptist Church, DOI: 05/16/2015. Claimant alleges that the sewer backed up into the Church due to a collapsed main line. Costs were incurred to repair the damage. \$572.40 claimed.

Gareth Penta, DOI: 07/01/2015. Claimant alleges that a water meter leak caused damages to his lawn and garden. Costs were incurred to repair the meter leak. \$29.29 claimed.

### DENIED:

Eldora Franklin, DOI: 01/01/2013. Claimant alleged that a sink hole in an alley caused the water and sewer lines to fail at her home. Costs were incurred to repair the damage. \$2,257.30 claimed.

State Farm Insurance, DOI: 12/31/2013. This was a subrogation claim on behalf of homeowner Jarrett Toftemark. Claimant alleged that the City did not turn off the homeowner's water when requested to do so, and the homeowner's pipes then froze and burst, causing a large amount of damage to the home. \$83,693.80 claimed.

David Meyers, DOI: 07/01/2013. Claimant alleged that the City's water caused his pressure washer to fail. Cost was incurred to replace the equipment. \$250.91 claimed.

### SETTLED:

Michael Davis, DOI: 03/01/2015. The claimant alleged that the City damaged his sprinkler system during the installation of new water pipes. \$114.46 paid.

William Schwegler, DOI: 07/16/2015. The claimant alleged that the sewer backed up into his home. Costs were incurred to repair the damage. \$518.40 paid.

James Gray, DOI: 06/10/2015. The claimant alleged that while the City was excavating near his home, debris damaged his car that was parked nearby. \$542.84 paid.

Tiffany Bailey, DOI: 05/20/2015. The claimant alleged that mechanical issues with sewer pumps on 48th and Ocean Beach Highway caused sewer to back up into her home. Costs were incurred to

repair the damage. \$232.20 paid.

Janet Bailey, DOI: 04/26/2015. The claimant alleged that a water main burst at the corner of Ocean Beach Highway and 44th Avenue, damaging personal property stored in her garage. \$2607.98 paid.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

## LIABILITY CLAIMS/LAWSUITS

The claim(s)/lawsuit(s) listed below was/were received by the City. Where applicable, the claim(s)/lawsuit(s) have been/are being researched and/or reviewed by Washington Cities Insurance Authority (WCIA). The claim(s)/lawsuit(s) status is/are as follows:

**NEW:**

Marina Pisarchuk, DOI: 06/25/2015. Claimant alleges that the sewer backed up into her home and costs were incurred to repair the damage. \$664.20 claimed.

Kenneth Davis, DOI: 07/23/2015. Claimant alleges that when he was pushing his father in his wheelchair, a crack in the sidewalk caused damage to the wheel. A new wheelchair had to be purchased because the wheel could not be repaired. \$124.99 claimed.

Myrna Schooff, DOI: 07/20/2015. Claimant alleges that a broken sidewalk caused her to trip and fall, resulting in multiple injuries. Medical costs were incurred. \$1255.00 claimed.

First Baptist Church, DOI: 05/16/2015. Claimant alleges that the sewer backed up into the Church due to a collapsed main line. Costs were incurred to repair the damage. \$572.40 claimed.

Gareth Penta, DOI: 07/01/2015. Claimant alleges that a water meter leak caused damages to his lawn and garden. Costs were incurred to repair the meter leak. \$29.29 claimed.

**DENIED:**

Eldora Franklin, DOI: 01/01/2013. Claimant alleged that a sink hole in an alley caused the water and sewer lines to fail at her home. Costs were incurred to repair the damage. \$2,257.30 claimed.

State Farm Insurance, DOI: 12/31/2013. This was a subrogation claim on behalf of homeowner Jarrett Toftemark. Claimant alleged that the City did not turn off the homeowner's water when requested to do so, and the homeowner's pipes then froze and burst, causing a large amount of damage to the home. \$83,693.80 claimed.

David Meyers, DOI: 07/01/2013. Claimant alleged that the City's water caused his pressure washer to fail. Cost was incurred to replace the equipment. \$250.91 claimed.

**SETTLED:**

Michael Davis, DOI: 03/01/2015. The claimant alleged that the City damaged his sprinkler system during the installation of new water pipes. \$114.46 paid.

William Schwegler, DOI: 07/16/2015. The claimant alleged that the sewer backed up into his home. Costs were incurred to repair the damage. \$518.40 paid.

James Gray, DOI: 06/10/2015. The claimant alleged that while the City was excavating near his home, debris damaged his car that was parked nearby. \$542.84 paid.

Tiffany Bailey, DOI: 05/20/2015. The claimant alleged that mechanical issues with sewer pumps on 48th and Ocean Beach Highway caused sewer to back up into her home. Costs were incurred to repair the damage. \$232.20 paid.

Janet Bailey, DOI: 04/26/2015. The claimant alleged that a water main burst at the corner of Ocean Beach Highway and 44th Avenue, damaging personal property stored in her garage. \$2607.98 paid.