

RESOLUTION NO. 3000

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, DESIGNATING AND APPOINTING THE CITY CLERK, CITY ADMINISTRATOR, AND ADMINISTRATIVE SERVICES DIRECTOR AS AGENTS OF THE CITY OF BONNEY LAKE TO RECEIVE CLAIMS FOR DAMAGES UNDER THE PROVISIONS OF RCW 4.96.020.

WHEREAS, Washington State law requires public agencies to designate an agent to receive claims for damages, and to record the designation with the County Auditor; and

WHEREAS, the City Council wishes to designate multiple agents to cover for leaves and absences.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON AS FOLLOWS:

1. Pursuant to RCW 4.96.020, the designated agents and address for the receipt of claims for damages pursuant to Chapter 4.96 RCW, during normal business hours of the Justice & Municipal Center, are:

City Clerk, City Administrator, or Administrative Services Director
City of Bonney Lake
9002 Main Street East (street address)
P.O. Box 7380 (mailing address)
Bonney Lake, WA 98391

2. This Resolution shall be recorded with the Pierce County Auditor.
3. All claims for damages against the City of Bonney Lake shall be presented to one of the above-designated agents within the applicable period of limitations within which an action must be commenced.

PASSED by the City Council this 14th day of December, 2021.

DocuSigned by:
Neil Johnson, Jr.
20583FB9C281400...
Neil Johnson Jr., Mayor

AUTHENTICATED:

DocuSigned by:
Sadie A. Schaneman
1E0B5AFC937304E8
Sadie A. Schaneman, CMC, City Clerk

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Admin Services / Sadie Schaneman	Meeting/Workshop Date: 14 December 2021	Agenda Bill Number: AB21-170
Agenda Item Type: Resolution	Ordinance/Resolution Number: 3000	Sponsor:

Agenda Subject: Updating Designated Agents To Receive Claims

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Designating And Appointing The City Clerk, City Administrator, And Administrative Services Director As Agents Of The City Of Bonney Lake To Receive Claims For Damages Under The Provisions Of Rcw 4.96.020.

Administrative Recommendation: Approve

Background Summary: With the new positions of City Clerk and Administrative Services Director we are needing to update Resolution 2294 so as to ensure the City preserves potential defenses. Failure to properly serve a tort claim prior to filing a lawsuit is grounds for dismissal of the lawsuit.

Per RCW 4.96.020 “(2) The governing body of each local governmental entity shall appoint an agent to receive any claim for damages made under this chapter. The identity of the agent and the address where he or she may be reached during the normal business hours of the local governmental entity are public records and shall be recorded with the auditor of the county in which the entity is located. All claims for damages against a local governmental entity, or against any local governmental entity's officers, employees, or volunteers, acting in such capacity, shall be presented to the agent within the applicable period of limitations within which an action must be commenced. A claim is deemed presented when the claim form is delivered in person or is received by the agent by regular mail, registered mail, or certified mail, with return receipt requested, to the agent or other person designated to accept delivery at the agent's office. The failure of a local governmental entity to comply with the requirements of this section precludes that local governmental entity from raising a defense under this chapter.”

Attachments: Resolution 3000

BUDGET INFORMATION				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
				<input type="checkbox"/> General <input type="checkbox"/> Utilities <input type="checkbox"/> Other
Budget Explanation:				

COMMITTEE, BOARD & COMMISSION REVIEW				
Council Committee Review:	Date:	<i>Approvals:</i>	Yes	No
		Chair/Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Forward to: December 14, 2021	Consent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Agenda:				
Commission/Board Review:				
Hearing Examiner Review:				

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): December 14, 2021	Tabled to Date:

APPROVALS			
Director: JPV	Mayor: NJJ	Date Reviewed	November 30, 2021
		by City Attorney:	