

Return Address:

City of Des Moines
ATTN: City Clerk
21630 11th Avenue S
Des Moines WA 98198



20180524000076

MISCELLANEOUS Rec: \$76.00
5/24/2018 9:22 AM
KING COUNTY, WA

WASHINGTON STATE RECORDER'S COVER SHEET

Document Title(s):	Acceptance Agents for Claims for Damages
Reference Number(s) of Documents Assigned or Released: (Add'l. Nbrs. on Page ____)	Resolution No. 1382
Grantor(s): (Last, First, Initials)	Wilkins, Bonnie
Grantee(s): (Last, First, Initials)	City of Des Moines
Legal Description: (Abbreviated) Additional Legal is on Page ____	
Assessor's Property Tax Parcel/ Account Number(s): (If Doc. Has Legal Description)	

RECEIVED
JUL 25 2018
CITY OF DES MOINES
CITY CLERK

RESOLUTION NO. 1382

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, relating to Claims for Damages, appointing Acceptance Agents for Claim for Damages filed against the City pursuant to chapter 4.96 RCW, and superseding Resolution No. 1362.

WHEREAS, chapter 4.96 RCW sets forth the procedures for presenting Claims for Damages arising out of the tortious conduct of local governmental entities, including cities, or the tortious conduct of their past or present officers, employees or volunteers while performing or in good faith purporting to perform their official duties, and

WHEREAS, RCW 4.96.020 requires local governmental entities to appoint an agent to receive any Claims for Damages made under chapter 4.96 RCW, and

WHEREAS, Des Moines Resolution No. 1362, passed by the City Council on May 5, 2017, appointing Acceptance Agents for Claims for Damages, requires updating; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. In accordance with RCW 4.96.020, the City Council hereby appoints:

Bonnie Wilkins, CMC, City Clerk/Communications Director
21630 11th Ave So., Suite A
Des Moines, WA 98198

and in the absence of the City Clerk/Communications Director, the following as alternates:

Taria Keane
Deputy City Clerk
21630 11th Ave So., Suite A
Des Moines, WA 98198

Vicki Sheckler
Paralegal
21630 11th Ave So., Suite C
Des Moines, WA 98198

to act as the Agents to receive any Claim For Damages made under chapter 4.96 RCW.

Sec. 2. In accordance with RCW 4.96.020, the City Council hereby adopts the following procedures for presenting Claims for Damages made under chapter 4.96 RCW:

(1) **Recording Information with Auditor.** The identity of the Agent(s) and the address where the Agent(s) may be reached

during normal business hours of the City shall be recorded by the City with the auditor of King County (the "Auditor").

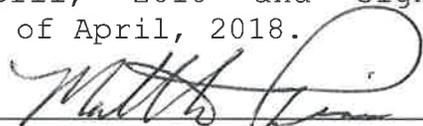
(2) **Procedure for Presenting Claims.** All Claims for Damages made under chapter 4.07 RCW shall be presented personally to the Agent(s) at the address and within the business hours recorded with the Auditor, from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays, and shall be presented within the applicable period of limitations in which such an action must commenced.

(3) **Content of Claim.** All Claims for Damages arising out of tortious conduct shall locate and describe the conduct and circumstances which brought about the injury or damage, describe the injury or damage, state the time and place the injury or damage occurred, state the names of all persons involved, if known, and shall contain the amount of damage claimed, together with a statement of the actual residence of the claimant at the time of presenting and filing the claim for a period of six (6) months immediately prior to the time the claim arose.

(4) **Notice Period.** No action shall be commenced against the City for damages arising out of tortious conduct until sixty (60) days have elapsed after the Claim has first been presented and filed in accordance with chapter 4.96 RCW and this Resolution.

Sec. 3. Resolution No. 1362 is superseded by this Resolution.

ADOPTED BY the City Council of the City of Des Moines, Washington this 12th day of April, 2018 and signed in authentication thereof this 12th day of April, 2018.


M A Y O R

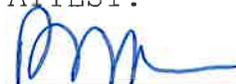
APPROVED AS TO FORM:



City Attorney

I, Bonnie Wilkins, City Clerk, do hereby certify that the foregoing is a true and correct copy of the original instrument on file and of record in my office in Des Moines, Washington 98198.

ATTEST:



City Clerk



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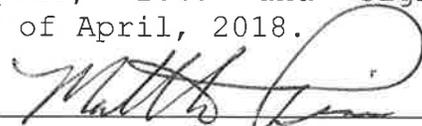
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I, Bonnie Wilkins, City Clerk, do hereby certify that the foregoing is a true and correct copy of the original instrument on file and of record in my office in Des Moines, Washington 98198



APPROVED AS TO FORM:



City Attorney

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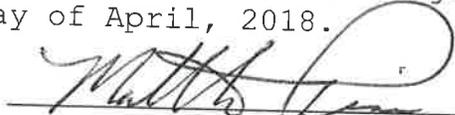
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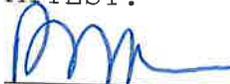

MAYOR

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APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk