



Board Summary Report

File #: 24-453

Agenda Date: 8/20/2024

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To: Board of County Commissioners

Through: Ronald Carl, County Attorney

Prepared By:

Ben Swartzendruber, Sr. Assistant County Attorney

Subject:

Approval of a Resolution Authorizing Settlement of Adesuwa Osazuwa Notice of Claim

Purpose and Request:

The County received a Notice of Claim on behalf of claimant Adesuwa Osazuwa related to a motor-vehicle accident that occurred on May 22, 2023. This report and the accompanying resolution seek the Board's formal approval of the settlement the parties agreed to in principle and as previously discussed with the Board.

Background and Discussion: On May 22, 2023, claimant was the passenger in a vehicle headed westbound on Arapahoe Road near the intersection of South Aurora Parkway. At the same time, an Arapahoe Deputy Sheriff was traveling eastbound on Arapahoe. The Deputy turned left toward northbound South Aurora Parkway, resulting in a collision with claimant's vehicle. Based on the available evidence, the County may be found liable for the accident. With the Board's blessing, the parties' counsel negotiated an agreement in principle on the terms of a settlement, subject to formal approval by the Board.

Alternatives: If the Board rejects the settlement, claimant will file litigation, and the County could risk judgment being entered in claimant's favor in excess of the settlement amount.

Fiscal Impact: The County will be required to pay the settlement amount agreed to by the parties that was previously discussed with the Board.

Alignment with Strategic Plan:

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

Concurrence: Risk Management concurs with this request.

Resolution: A proposed resolution is attached.