AGENDA ITEM SUMMARY

DATE: 4-7-14  DEPARTMENT: Legal  DEPT. HEAD SIGNATURE: 

SUBJECT:

Motion to adopt Resolution No. 2014-28 authorizing the Knife River Settlement Agreement and Mutual Release

AUTHORITY: ☐ ID Code __________  ☐ IAR __________  ☐ City Ordinance/Code __________
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The mayor and I have entered into a proposed settlement with Knife River involving the claim by Knife River for delay damages allegedly suffered during the reconstruction of Woodside Boulevard and a claim by Hailey involving pavement density of a portion of Woodside Boulevard. In executive session, I will discuss the proposed Settlement Agreement and Mutual Release addressing these claims. After a discussion, the council may go into a public hearing to consider the Settlement Agreement and Mutual Release.

Ned

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle #
Budget Line Item # __________________________ YTD Line Item Balance $ __________________________
Estimated Hours Spent to Date: __________________________ Estimated Completion Date: __________________________
Staff Contact: __________________________ Phone #: __________________________
Comments: __________________________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

City Attorney  Clerk / Finance Director  Engineer  Building
Library  Planning  Fire Dept.  __________________________
Safety Committee  P & Z Commission  Police  __________________________
Streets  Public Works, Parks  Mayor  __________________________

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Make a motion to adopt Resolution No. 2014-28 authorizing the Settlement Agreement and Mutual Release and to authorize the mayor to sign Resolution No. 2014-20 and the Settlement Agreement and Mutual Release.

FOLLOW-UP REMARKS:

4/17 - Council did not make a motion — will discuss in next meeting.
4/27 - Consideration after Executive Session.
CITY OF HAILEY
RESOLUTION NO. 2014-28

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING THE EXECUTION OF SETTLEMENT AGREEMENT AND MUTUAL
RELEASE WITH KNIFE RIVER INC.

WHEREAS, the City of Hailey desires to enter into a Settlement Agreement and Mutual
Release with Knife River, under which Knife River will finalize the claim for damages for
construction delays allegedly suffered during the construction of the Woodside Boulevard
project.

WHEREAS, the City of Hailey and Knife River have agreed to the terms and conditions
of the Settlement Agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF HAILEY, IDAHO, that the City of Hailey approves the Settlement Agreement
between the City of Hailey and Knife River and that the Mayor is authorized to execute the
attached Agreement,

Passed this 21st day of April, 2014.

City of Hailey

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk