



**Contra
Costa
County**

To: Board of Supervisors
From: Sharon Offord Hymes, Risk Manager
Date: March 21, 2017

Subject: Final Settlement of Benjamin Whitener (Deceased) vs. East Contra Costa Fire Protection District/Contra Costa County

RECOMMENDATION(S):

RECEIVE this report concerning the final settlement of Benjamin Whitener (Deceased) and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$275,000.

FISCAL IMPACT:

Workers' Compensation Internal Service Fund payment of \$275,000.

BACKGROUND:

Attorney William R. Thomas, defense counsel for the County, has advised the County Administrator that within authorization an agreement has been reached settling the workers' compensation claim of Benjamin Whitener (Deceased) vs. East Contra Costa Fire Protection District/Contra Costa County. The Board's March 7, 2017 closed session vote was: Supervisors Gioia, Andersen, Burges, Mitchoff and Glover - Yes. This action is taken so that the terms of this final settlement and the earlier March 7, 2017 closed session vote of this Board authorizing its negotiated settlement are known publicly.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/21/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Diane Burges, District III
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: John Gioia, District I
Supervisor
Karen Mitchoff, District IV
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 21, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Sharon Hymes-Offord
335-1400

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Case will not be settled.

CHILDREN'S IMPACT STATEMENT:

None.