

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:

Settlement Agreement with
Arthur West in the amount of
\$45,000

- Briefing
- Proposed Action
- Consent
- Action
- First Reading
- Second Reading
- Third Reading
- Public Hearing

COUNCIL BILL # _____

Originating Department _____

Contact Person _____

Phone Number _____

FOR AGENDA OF _____

Legal

R. Ramerman

425-257-7000

January 20, 2016

Initialed by:

Department Head _____

CAA _____

Council President _____

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gmm

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u> Settlement Agreement	<u>Department(s) Approval</u> Legal, Police
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Amount Budgeted	-0-	
Expenditure Required	\$45,000	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

DETAILED SUMMARY STATEMENT:

Arthur West requested copies of the bikini barista surveillance videos from the City in December, 2014 and then filed suit against the City in June, 2015. Because of the private content of the videos, the City sought an affirmative court ruling on whether it could allow inspection but withhold copies based on the expectation of privacy. In December, the Court ruled against the City, finding that the baristas in the videos did not have any expectation of privacy. As a result, the City must pay Mr. West for the delay in providing the videos, in the amount of \$45,000.

RECOMMENDATION (Exact action requested of Council):

Authorize the Mayor to sign the agreement to settle all claims with Arthur West in the amount of \$45,000.