



1 **City of Racine, Wisconsin**  
2 **Common Council**

3 **AGENDA BRIEFING MEMORANDUM**

4 **COMMITTEE: Finance and Personnel**      **LEGISLATION ITEM #: 1180-23**

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5 **AGENDA DATE: January 8, 2024**

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7 **DEPARTMENT: City Attorney’s Office**

8 **Prepared By: Deputy City Attorney Marisa Roubik**

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10 **SUBJECT:** Communication sponsored by Alder West on behalf of the City Attorney’s Office submitting  
11 the claim of Geico Secure Insurance Company, on behalf of their insured, Bessie Swoopes, and driver,  
12 Iyanna Griffin, for consideration for disallowance.

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14 **EXECUTIVE SUMMARY:**

15 Geico Secure Insurance Company, on behalf of their insured, Bessie Swoopes, and driver, Iyanna  
16 Griffin, claim reimbursement in the amount of \$6,341.85 allegedly arising from an accident involving a  
17 City of Racine bus, which is alleged to have struck Ms. Swoopes’s vehicle, when Ms. Griffin drove said  
18 vehicle through a red light at the intersection of Washinton Avenue and Phillips Avenue on or about July  
19 7, 2022. The City believes that this claim was untimely filed, disputes the damages claimed, and its liability  
20 therefor. As such, it is the recommendation of the City Attorney’s Office that this claim be disallowed.

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22 **BACKGROUND & ANALYSIS:**

23 Geico Secure Insurance Company, on behalf of their insured, Bessie Swoopes, and driver, Iyanna  
24 Griffin, claim reimbursement in the amount of \$6,341.85 allegedly arising from an accident involving a  
25 City of Racine bus, which is alleged to have struck Ms. Swoopes’s vehicle, when Ms. Griffin drove said  
26 vehicle through a red light at the intersection of Washinton Avenue and Phillips Avenue on or about July  
27 7, 2022.

28 When the City of Racine’s bus proceeded into the intersection of Phillips Avenue and Washinton  
29 Avenue pursuant to a green traffic light, it struck the vehicle driven by Ms. Griffin when she failed to stop  
30 for a red light on Washington Avenue and emerged unexpectedly into the intersection. But for Ms. Griffin’s

31 failure to stop for the red light as required by law, this accident would not have occurred. Therefore, the  
32 City disputes the damages claimed and its liability therefor.

33 Furthermore, the claim that the claimants filed with the City on or about November 2, 2023 was  
34 filed untimely. Per Wis. Stat. § 893.80(1d)(a), a claimant must file a notice of the circumstances of a claim  
35 within 120 days of the happening of the event giving rise to the claim. The event giving rise to this claim  
36 occurred on July 7, 2022; therefore, the notice of circumstances of this claim would need to have been filed  
37 on or before November 4, 2022 in order to be timely filed, which it was not.

38 Therefore, this claim was filed untimely, and the claimants do not have a right to maintain an action  
39 against the City.

40 For the reasons set forth above, it is the recommendation of the City Attorney's Office that this  
41 claim be disallowed.

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43 **BUDGETARY IMPACT:**

44 Assuming the recommendation to disallow this claim is adopted, this item would have a \$0.00  
45 impact on the City's budget.

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47 **RECOMMENDED ACTION:**

48 That the disallowance of this claim be recommended for approval.

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