



**City of Racine, Wisconsin  
Common Council**

**AGENDA BRIEFING MEMORANDUM**

**COMMITTEE:** Finance and Personnel

**LEGISLATION ITEM #: 0990-21**

**AGENDA DATE:** January 10, 2022

**DEPARTMENT:** City Attorney's Office

**Prepared By:** Deputy City Attorney Marisa L. Roubik

**SUBJECT:** Communication sponsored by Alder Taft on behalf of the City Attorney's Office submitting the claim of Robert Sackett for consideration for disallowance.

**EXECUTIVE SUMMARY:**

Robert Sackett filed a claim with the City requesting \$1,312.32 in damages to his vehicle, which was parked in the parking lot of the Racine Unified School District's ("RUSD") Community Pathways Campus when it was allegedly struck by a van owned by RUSD on or about September 16, 2021. These damages were not caused by a City of Racine employee; rather, they were caused by an individual who was operating a vehicle owned by RUSD. As such, the City is not liable for these alleged damages. For this reason, it is the recommendation of the City Attorney's Office that this claim be disallowed.

**BACKGROUND & ANALYSIS:**

Robert Sackett, of Greenfield, Wisconsin, filed a claim requesting \$1,312.32 in damages to his vehicle, which was parked in the parking lot of the RUSD Community Pathways Campus when it was allegedly struck by a van owned by RUSD on or about September 16, 2021. This RUSD van was neither owned nor operated by a City of Racine employee.

Because these alleged damages were caused by an individual who was not acting as an agent or employee of the City, the City is not liable for these alleged damages. For this reason, it is the recommendation of the City Attorney's Office that this claim be disallowed.

A letter was sent to the Claimant to notify him that his claim should have been submitted to RUSD as the responsible party.

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32 **BUDGETARY IMPACT:**

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

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36 **OPTIONS/ALTERNATIVES:**

37         If the Committee recommends that this claim be paid by the City (contrary to any indication of the  
38 City's liability for the alleged damages), this item would have up to a \$1,312.32 impact on the City's 2022  
39 claims budget.

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41 **RECOMMENDED ACTION:**

42         That the disallowance of the claim of Robert Sackett be recommended for approval.

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44 **ATTACHMENT(S):**