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**City of Racine, Wisconsin
Common Council**

AGENDA BRIEFING MEMORANDUM

COMMITTEE: Finance and Personnel

LEGISLATION ITEM #: 0973-19

AGENDA DATE: September 23, 2019

DEPARTMENT: City Attorney's Office

Prepared By: Assistant City Attorney Marisa Roubik

SUBJECT: Communication from Alderman Q.A. Shakoor, II submitting the claim of Quentin and Shenicka Bolton for consideration.

EXECUTIVE SUMMARY:

The City Attorney's Office advises this Committee to recommend that the Common Council disallow the claim of Quentin and Shenicka Bolton because the City was wrongfully named as a party to this claim regarding the actions of Racine Unified School District employees.

BACKGROUND & ANALYSIS:

Quentin and Shenicka Bolton claim reimbursement in the amount of \$100,000.00 on behalf of their minor child arising from an alleged failure by a Racine Unified School District employee to take appropriate enforcement or other action(s) to intervene in a fight between the Bolton's minor son and another student at Mitchell Middle School on or about March 15, 2019.

The Boltons' claim fails to identify any involvement of a City of Racine employee in the alleged incidents giving rise to the purported damages that occurred on or about March 15, 2019 at Mitchell Middle School. Rather, the Boltons' claim, along with the police reports that the Boltons later filed, solely describe the actions of several minor students and certain teachers employed by Racine Unified School District as the persons whose actions gave rise to the alleged damages. As such, it appears that the Boltons may have mistakenly believed that the City of Racine employs said teachers and, in turn, they wrongfully named the City in this claim.

30 Because the City was wrongfully named as a party to this claim regarding the actions of Racine
31 Unified School District employees, it is the recommendation of the City Attorney's Office that this claim
32 be disallowed.

33 _____

34 **BUDGETARY IMPACT:**

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

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38 **OPTIONS/ALTERNATIVES:**

39 If the recommendation to disallow this claim is rejected, and the Committee recommends that this
40 claim be paid by the City this item would have a \$100,000.00 impact on the City's 2019 claims budget.

41 _____

42 **RECOMMENDED ACTION:**

43 That the claim of Quentin and Shenicka Bolton be disallowed.