

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: 11/13/2023	PREPARED BY: Jeff Briggs
Meeting Date Requested: 11/15/2023	PRESENTED BY: Mike Gonzalez and Jeff Briggs
ITEM: (Select One) X Consent Agenda Brought Before the Board Time needed:	
SUBJECT: Settlement of Claim with Jeff Carvo d/b/a Clubhouse Sports Academy, LLC	
FISCAL IMPACT: \$35,000.00	
BACKGROUND: The County and Jeff Carvo d/b/a Clubhouse Sports Academy, LLC (Clubhouse) have been in settlement negotiations regarding an alleged leak in the roof of the HAPO Center, which allegedly damaged property owned by Clubhouse. The proposed settlement agreement does not indicate fault by either party and does not limit either party from legal remedies, except as provided therein.	
COORDINATION: Mike Gonzalez, County Administrator; Jeff Briggs, Senior Deputy Prosecuting Attorney.	
RECOMMENDATION: The author does not take a position on whether the parties should settle the claim.	
ATTACHMENTS: (Documents you are submitting to the Board) ASR, Resolution, Release of Liability.	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of party(s) that will need a pdf.) Original : Clerk of the Board Teresa Alvarez Copy: Jeff Briggs, Attorney Mike Gonzalez, County Administrator Larry Leasure and Wesley Harris, Harris/White Leasure Team.	

I certify the above information is accurate and complete.

Name:  Mike Gonzalez, County Administrator

FRANKLIN COUNTY RESOLUTION **2023-306**

BEFORE THE BOARD OF COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

***APPROVING SETTLEMENT OF CONTRACT CLAIM BETWEEN FRANKLIN COUNTY AND
JEFF CARVO D/B/A CLUBHOUSE SPORTS ACADEMY, LLC.***

WHEREAS, and Franklin County and Jeff Carvo, D/B/A Clubhouse Sports Academy, LLC have been in negotiations for a claim made by Clubhouse in regards to an alleged leaky roof at the HAPO Center; and

WHEREAS, Clubhouse Sports has offered to resolve the claim for \$35,000.00; and

WHEREAS, the Board of County Commissioners of the County is vested with the authority to sue and be sued in courts and all proceedings and is also vested with authority to contract pursuant to RCW 36.32.120.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby approve the settlement and are authorizing the chair to sign the release or liability attached to this resolution as Exhibit A.

APPROVED this 15th day of Nov., 2023.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chair

Chair Pro Tem

Member

ATTEST:

Clerk to the Board

RELEASE OF LIABILITY

I, Jeff Carvo d/b/a Clubhouse Sports Academy, LLC, a Washington Limited Liability Corporation, being of lawful age, acknowledging receipt of thirty-five thousand and 00/100 dollars (\$35,000.00) in return for which I Jeff Carvo d/b/a Clubhouse Sports, LLC, hereby release Franklin County, a Washington Municipal Corporation, and its employees, agents, insurers, attorneys, predecessors, heirs, successors, and assigns, from any and all claims and damages as a result of roof leakage which occurred during the course of performance under Clubhouse Sports Academy lease with Franklin County signed on or about March 9, 22, and as thereafter amended. This release includes all known and unknown damage and injury. In making this agreement I, Jeff Carvo d/b/a Clubhouse Sports, LLC, am relying wholly on my own judgment concerning the nature and extent of damage and injury and I Jeff Carvo, d/b/a Clubhouse Sports, LLC understand this release is full and final.

I Jeff Carvo d/b/a Clubhouse Sports, LLC, do hereby covenant with Franklin County Franklin County, and its employees, agents, insurers, attorneys, predecessors, heirs, successors, and assigns, to indemnify and hold them harmless from all claims arising out of said accident as to all Jeff Carvo d/b/a Clubhouse Sports, LLC's damage and injury.

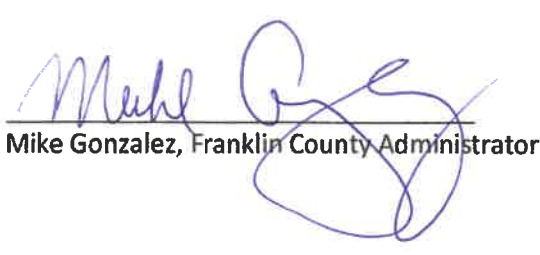
I Jeff Carvo d/b/a Clubhouse Sports, LLC, also understand this is a compromise of a disputed claim for which liability is expressly denied. This agreement is not to be construed or considered an admission of liability on the part of Franklin County, and its employees, agents, insurers, attorneys, predecessors, heirs, successors, and assigns, who expressly reserve the right to prosecute a claim for any damages sustained.

The undersigned further agrees any associated liens will be repaid before settlement funds are disbursed for other purposes. The undersigned further agrees to indemnify and hold harmless Franklin County, and its employees, agents, insurers, attorneys, predecessors, heirs, successors, and assigns, from any lien or claim any entity may have now or in the future.



Jeff Carvo,
Clubhouse Sports Academy, LLC

11/13/2023
Date



Mike Gonzalez, Franklin County Administrator

11/13/2023
Date



STATE OF
WASHINGTON

BUSINESS LICENSE

Limited Liability Company

CLUBHOUSE SPORTS ACADEMY, LLC
509 DOUBLETREE CT
RICHLAND WA 99354-1814

UNEMPLOYMENT INSURANCE - ACTIVE
MINOR WORK PERMIT - ACTIVE

INDUSTRIAL INSURANCE - ACTIVE
TAX REGISTRATION - ACTIVE

Issue Date: Sep 15, 2023

Unified Business ID #: 604792456

Business ID #: 001

Location: 0001

Expires: Aug 31, 2024

CITY/COUNTY ENDORSEMENTS:

RICHLAND SERVICE BUSINESS - ACTIVE

DUTIES OF MINORS:

Ages 16-17: FRONT DESK

LICENSING RESTRICTIONS:

It is the business's responsibility to comply with minor work permit requirements. See WAC 296-125-030 and WAC 296-125-033 for Non-Agricultural and WAC 296-131-125 for Agricultural guidelines and restricted activities.

Occupations involving exposure to substances which are carcinogenic, corrosive, highly toxic, toxic sensitizers, or that cause reproductive health effects or irreversible end organ damage is prohibited for minors under 18. WAC 296-125-030(25)

Service occupations: if a minor works past 8 p.m., minor must be supervised by a responsible adult employee who is on the premises at all times. WAC 296-125-030(30)

This document lists the registrations, endorsements, and licenses authorized for the business named above. By accepting this document, the licensee certifies the information on the application was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

Director, Department of Revenue

UBI: 604792456 001 0001

STATE OF WASHINGTON

Expires: Aug 31, 2024

CLUBHOUSE SPORTS ACADEMY,
LLC
509 DOUBLETREE CT
RICHLAND WA 99354-1814

UNEMPLOYMENT INSURANCE -
ACTIVE
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ACTIVE

IMPORTANT!

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY BEFORE POSTING THIS LICENSE

General Information

Post this Business License in a visible location at your place of business.

If you were issued a Business License previously, **destroy the old one and post this one in its place.**

Login to My DOR at dor.wa.gov if you need to make changes to your business name, location, mailing address, telephone number, or business ownership.

Telephone: 360-705-6741

Endorsements

All endorsements should be renewed by the expiration date that appears on the front of this license to avoid any late fees.

If there is no expiration date, the endorsements remain active as long as you continue required reporting. Tax Registration, Unemployment Insurance, and Industrial Insurance endorsements require you to submit periodic reports. Each agency will send you the necessary reporting forms and instructions.

For assistance or to request this document in an alternate format, visit <http://business.wa.gov/BLS> or call (360) 705-6741. Teletype (TTY) users may use the Washington Relay Service by calling 711.

BLS-700-107 (07/27/20)