



**Roll Call Number**

**Agenda Item Number**

39

Date March 7, 2022

**APPROVING PAYMENT TO MIRIAM SETARO  
FOR A PERSONAL INJURY CLAIM**

WHEREAS, Miriam Setaro on behalf of her grandson have a personal injury claim against the City of Des Moines for injuries sustained on September 21, 2018; and

WHEREAS, a settlement agreement has been negotiated with Ms. Setaro and her attorney;  
and

WHEREAS, it is the opinion of the Legal Department that payment would be in the best interest of the City of Des Moines.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines,  
Iowa:

That the Legal Department hereby is authorized to enter into the settlement agreement negotiated in this matter, execute any documents necessary to effectuate the terms of the settlement agreement, that payment of the settlement amount is approved, and the Finance Director is authorized and directed to draw a warrant accordingly.

MOVED BY \_\_\_\_\_ TO ADOPT

SECOND BY \_\_\_\_\_

Approved as to Form:

/s/ Luke M. DeSmet  
Luke DeSmet  
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         |      |      |      |        |
| BOESEN         |      |      |      |        |
| GATTO          |      |      |      |        |
| MANDELBAUM     |      |      |      |        |
| SHEUMAKER      |      |      |      |        |
| VOSS           |      |      |      |        |
| WESTERGAARD    |      |      |      |        |
| TOTAL          |      |      |      |        |

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk