



Roll Call Number

Agenda Item Number

17

Date June 28, 2010

WHEREAS, Joey Allen Smith has made a claim against the City of Des Moines as a result of a traffic stop and arrest in January of 2009; and

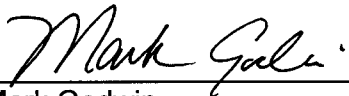
WHEREAS, it would be in the best interest of the City of Des Moines to settle the claim and avoid the expense and uncertainty of litigation; and

NOW, THEREFORE, BE IT RESOLVED that the City Legal Department is hereby directed to settle Mr. Smith's claim against the City and any of its employees in the amount of \$30,000.00 and in return, to obtain a full release and settlement from Mr. Smith; and

BE IT FURTHER RESOLVED that the Finance Department is directed to draft a check for the settlement at the direction of the Legal Department.

Moved by _____ to adopt.

APPROVED AS TO FORM:


Mark Godwin
Deputy City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GRIESS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| MOORE | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |
| _____ Mayor | | | | |

CERTIFICATE

I, DIANE RAUH, 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.

_____ City Clerk