

December 21, 2009

**Date** .....

WHEREAS, Dale Bingaman submitted a claim for property damage and bodily injury as the result of an accident on October 20, 2008; and

WHEREAS, after investigation by the Legal Department payment in the amount of \$4,450.00 for the total loss of Mr. Bingaman's car and \$379.49 for car rental expense was made to Mr. Bingaman before retention of Rob Garver as his attorney; and

WHEREAS, it appears this claim also warrants payment in the amount of \$21,000.00 to Dale Bingaman, a single person, and Attorney Rob Garver; and

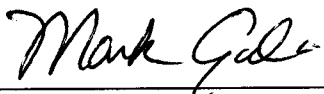
WHEREAS, such payment would be in the best interest of the City of Des Moines; NOW THEREFORE,

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

That final payment in the amount of \$21,000.00 to Dale Bingaman, as a single person, and Attorney Rob Garver, 475 South 50<sup>th</sup> Street, Suite 200, West Des Moines, Iowa 50265, be and the same is hereby approved, and the Finance Director is authorized and directed to draw a warrant accordingly, under Fund Codes 529410; GE001; POL 100100.

The total amount for property damage and bodily injury then equals \$25,829.48.

FORM APPROVED: \_\_\_\_\_ MOVED BY \_\_\_\_\_ TO ADOPT

  
\_\_\_\_\_  
Mark Godwin  
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
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