

January 24, 2011

Date

WHEREAS, Dale and Rhonda Methfessel submitted a claim for bodily injury and property damage as the result of an auto accident on June 9, 2009, in which City employee Milan Ott failed to heed a stop sign and struck their vehicle; and

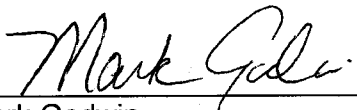
WHEREAS, after investigation by the Legal Department, a previous payment in the amount of \$12,720.00 was made for the total loss of the Methfessel vehicle, and a final settlement amount of \$30,000.00 for the bodily injury of Dale and Rhonda Methfessel, it appears this claim warrants an additional payment for the bodily injury in the amount of \$30,000.00; 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 an additional payment for bodily injury of Dale and Rhonda Methfessel and Attorney Kara M. Simons, 2501 Grand Avenue, Suite B, Des Moines, Iowa 50312, be and the same is hereby approved, and the Finance Director is authorized and directed to draw a warrant accordingly, under Fund Codes 529410; SP360; PWK040400. The total amount paid for the property damage and bodily injury then amounts to \$42,720.00.

FORM APPROVED: _____ MOVED BY _____ TO ADOPT



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