

★ Roll Call Number

Agenda Item Number

28

Date October 8, 2012

Communication from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000.00.

Moved by _____ to receive, file and affirm settlements made by 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

CITY ATTORNEY

Jeffrey D. Lester

DEPUTY CITY ATTORNEYSMark Godwin
Lawrence R. McDowell
Kathleen Vanderpool**ASSISTANT CITY ATTORNEYS**Angela T. Althoff
Roger K. Brown
Ann M. DiDonato
David A. Ferree
Gienna K. Frank
Gary D. Goudelock, Jr.Michael F. Kelley
Vicky L. Long Hill
Steven C. Lussier
Katharine J. Massier
Carol J. Moser
Douglas P. Philiph

October 8, 2012

HONORABLE MAYOR AND MEMBERS OF
THE DES MOINES CITY COUNCIL

Re: Report to Council

Pursuant to the authority and direction of Council authorizing the City Attorney to settle claims, lawsuits and workers compensation actions for a total sum not to exceed \$5,000, I submit to Council the following summary report of settlements made:

FARM BUREAU, \$449.51 for payment of property damage regarding claim of June 1, 2012, when police officer backed from driveway at 2500 Post Street and struck claimant's vehicle; ENTERPRISE RENT-A-CAR, \$125.40 for rental car expenses.

PEGGY KARABATSOLIS, \$21.00 in payment of claim of June 28, 2012 when garbage collector broke solar lights at 334 East Army Post Road.

SARAH M. COLLINS, \$600.65 for property damage resulting from incident on June 18, 2012 when police officer stopped claimant for speeding on I-235; officer forgot to put his car in park and the car struck claimant's car.

TMC AUTO BODY, \$741.82 to repair vehicle that parks employee backed into at the Gray's Lake parking lot on April 16, 2012.

ANDREA WOLFE AND JACOB WOLFE, \$210.94 to replace phone that was damaged when claimant was arrested for fraud and identity theft on June 27, 2012.

MARIELA ORTEGA, \$479.29 in payment of claim of June 27, 2012 when police officer backed into claimant's parked car on East Fulton Drive.

TRAVELERS INDEMNITY COMPANY, \$466.13 in payment of claim of January 25, 2012 when Housing driver backed up on Douglas Avenue south of 6th Avenue and struck claimant's vehicle.

TRAVELERS INDEMNITY COMPANY, \$5,000.00 to pay insurance deductible regarding claim of March 14, 2012 when Public Works driver rear-ended claimant on Indianola Avenue at East McKinley.

J.D. BYRIDER, \$1,426.53 for damages caused on July 21, 2012 when police officer backed from an alley at 26th Street and Cottage Grove and struck claimant's vehicle.

TMC AUTO BODY, \$1,214.96 for repairs to claimant's vehicle when Fire employee rear-ended vehicle in the 4200 block of Fleur Drive on July 9, 2012; ENTERPRISE RENT-A-CAR, \$92.11 for rental car expense.

ANGELA RESCHLY, \$500.00 to pay insurance deductible regarding claim of July 16, 2012 when police officer rear-ended claimant on 8th Street at Locust.

KARL'S CHEVROLET, INC., \$4,824.02 to repair damages to vehicle damaged on July 16, 2012; police officer rear-ended a car on 8th Street at Locust and that car was pushed into claimant's vehicle.

ANNE WALKER, \$253.99 in payment of claim of July 19, 2012 when Parks dump truck was hauling loose rock and a rock struck claimant's windshield.

AARON TODD, \$321.00 for repairs to claimant's garage that was struck by garbage collector pickup arm on June 22, 2012 at 1334 9th Street.

M.V.P. FENCE, \$180.00 for repairs to claimant's fence resulting from incident of May 23, 2012 when garbage truck pickup arm struck the fence at 436 East Gray Street.

ALTOONA AUTO BODY, \$4,047.64 in payment of claim of August 1, 2012 when Park's employee rear-ended claimant on East Euclid at Hubbell.

GINA WEBB, \$606.04 for repairs to claimant's vehicle as a result of incident on August 6, 2012 when Public Works driver struck a car parked on Carpenter Street at 24th Street.

KIM ARROYO, \$112.00 in payment of claim of August 7, 2012 when Public Works crew was applying gravel in the alley at 2227 Lyon Street and struck the claimant's fence.

ROBERT HARDMAN, \$1,102.78 for damages to claimant's vehicle on August 10, 2012 when Wastewater Reclamation Facility (WRF) employee backed into co-workers parked car at the WRF lot.

MARCUS HALL, \$250.00 to replace claimant's cell phone that was lost at the police department during his arrest on August 1, 2010.

DEERY BROTHERS CHEVROLET, \$2,510.27 in payment of claim of August 22, 2012 when Parks employee struck claimant's parked car in the 500 block of 16th Street.

CENTURY LINK/QWEST, \$1,242.45 for property damage claim when Sewer crews struck telephone line on August 17, 2012 at 3723 Wright Street.

CINDY RONAN AND MARK TOLAND, \$3,139.03 in payment of claim regarding incident of July 23, 2012 when City tree limb fell on vehicle at 1411 45th Street.

CONCRETE SPECIALIST, \$185.00 for repair of sidewalk that Forestry crew damaged while removing a tree at 1237 East 13th Street on July 30, 2012.

TMC AUTO BODY, \$4,198.48 in payment of claim of August 23, 2012 when Public Works driver made lane change on Grand Avenue at 17th Street and struck claimant's vehicle; ENTERPRISE RENT A CAR, \$719.21 for car rental expenses.

TRAVELERS INSURANCE, \$3,983.57 as payment for bodily injury and property damage claim of February 4, 2012 when plow driver backed into claimant's car on 50th Street at Crestmoor Drive.

Respectfully submitted,



Jeffrey D. Lester
City Attorney