

★ Roll Call Number

Agenda Item Number

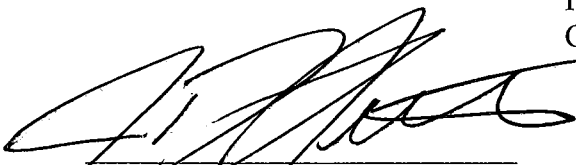
19

Date April 20, 2015

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

FORM APPROVED:

MOVED BY _____ TO RECEIVE,
FILE AND AFFIRM SETTLEMENTS MADE BY
CITY ATTORNEY


Jeffrey D. Lester
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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 ATTORNEYS
Lawrence R. McDowell
Carol J. Moser
Kathleen Vanderpool

SENIOR LITIGATORS
Thomas G. Fisher Jr.

ASSISTANT CITY ATTORNEYS
Roger K. Brown
Cori Kuhn Coleman
Ann M. DiDonato

David A. Ferree
Glenna K. Frank
Vicky L. Long Hill
Katharine J. Massier
Douglas P. Philip



April 20, 2015

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:

AMCO INSURANCE COMPANY \$1,003.62 for an amended check request for the subrogation claim of Kathleen Teas due to automobile damage occurring on June 4, 2013, when Claimant struck a portion of removed curbing at 44th and Beavercrest, which was displaced and unmarked.

TRAVELERS INSURANCE \$2,136.05 for payment towards policy deductible for claim of Rebecca McIntosh, whose parked vehicle was struck by a City snow plow on November 27, 2014 at 3016 61st Street.

TRAVELERS INSURANCE \$2,863.95 for payment towards policy deductible for claim of Jason Sassman, whose parked vehicle was struck by a City snow plow on November 27, 2014 on 61st Street north of Urbandale Avenue.

MERCHANTS & MEDICAL CORP. \$1,718.19 for the subrogation claim of Charles Ahern for automobile damage occurring on December 20, 2013, when a City snow plow struck Claimant's parked vehicle on Tonawanda Drive.

SCOTTY'S BODY SHOP \$2,630.84 for damage to Claimant Anita Deer's automobile due to an accident involving a City garbage truck occurring on December 19, 2014.

SHAUN MORTIMER \$30.00 for damage to mailbox at 5118 S.E. 31st Ct., which was damaged when a City snow plow struck it on December 31, 2014.

MOLLY HOUSE \$200.00 for reimbursement of out-of-pocket contractor fee for removing broken sidewalk panel which was damaged due to City tree roots.

ANA AYALA \$500.00 for auto damage to Claimant's vehicle when City snow plow backed into it at High and 19th Streets on February 1, 2015.

CENTURY LINK \$3,140.73 for damage to cable wire on November 25, 2014, when a City snow plow struck and damaged a utility pole causing power line to make contact with Claimant's cable.

ENTERPRISE RENT-A-CAR \$124.28 for car rental fee due to an auto accident on December 16, 2014, in which a City vehicle backed into Claimant Scott Sanders' stopped vehicle.

KARL CHEVROLET \$4,692.92 for repair of Claimant Scott Sanders' vehicle due to an auto accident occurring on December 16, 2014, in which a City vehicle backed into Claimant's stopped vehicle.

JAMES HOPCUS \$30.00 for reimbursement pursuant to City ordinance for repair of damage to Claimant's mailbox caused a City snow plow on January 31, 2015.

JENNY PITTS \$1,838.45 for settlement of property damage claim at 930 Clinton Avenue due to a sewer backup on February 18, 2014, caused by a blocked City main.

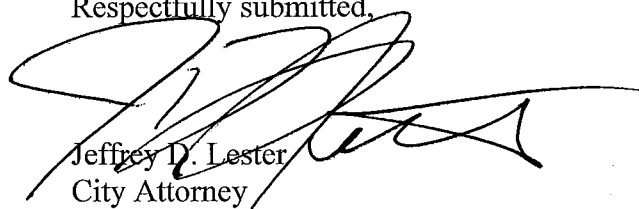
TRAVELERS INSURANCE \$2,802.41 for payment of policy deductible for claim of Ana Ayala, whose vehicle was struck by a City snow plow on February 1, 2015 at High and 19th Streets.

TRAVELERS INSURANCE \$3,118.84 for payment of policy deductible for claim of Patrick Hannam, whose vehicle was struck by a City snow plow on February 4, 2014 at Hubbell Avenue and East 27th Street.

SCOTTY'S BODY SHOP \$734.42 for repair of Claimant Kiley Oehlert's vehicle. Claimant's vehicle was struck by a piece of siding board which fell from the back of a Public Works truck on December 16, 2014.

ROGER ENNENGA, c/o GARY DICKEY, JR. \$292.18 for court-ordered restitution repayment due to the determination that Mr. Ennenga should not be assessed restitution under Chapter 910.

Respectfully submitted,


Jeffrey D. Lester
City Attorney