



Roll Call Number

Agenda Item Number

22

Date July 27, 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

Handwritten signature of Jeffrey D. Lester, City Attorney

Jeffrey D. Lester
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	

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.

Mayor

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
Cari Kuhn Coleman
Ann M. DiDonatoDavid A. Ferree
Glenna K. Frank
Vicky L. Long Hill
Katharine J. Massier
Douglas P. Philip

July 27, 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:

BRIAN RAND \$699.00 for repair of Claimant's fence at 832 26th Street, which was damaged when a City tree fell on January 31, 2015.

POLK COUNTY ATTORNEY'S OFFICE \$1,000.00 for contribution of settlement of a seizure/forfeiture action, which was settled by the Polk County Attorney's Office with Conor Davis.

CHRIS & SHANNON VANSKOY \$1,704.94 for damages due to a sewer backup as a result of a blocked sewer main at 4608 University Avenue on January 23, 2015.

MARLENE SCHULTZ \$30.00 for snow plow damage to mailbox at 2423 East 34th Street on or about February 1, 2015.

MIKE GOODWIN \$2,333.75 for auto damage to Claimant's parked vehicle when a City snow plow struck it at 2916 Willowmere Drive on or about January 7, 2015.

YOLANDA MENDOZA \$1,061.08 for property damage caused by a sewer backup at 1220 East 38th Street on or about March 21, 2015, due to a broken City main.

JOHN BARKER \$593.09 for automobile damage due to an auto accident which occurred on April 16, 2016, when a garbage truck backed into Claimant's vehicle at 1010 Caulder Avenue.

BRENT HENDERSON \$30.00 for damage to mailbox caused by a City snow plow at 3516 S.W. 28th Street on or about December 14, 2015.

PYRAMID PROPERTY GROUP \$150.00 for damage to a door at 2337 East Grand as a result of the DMPD's foot chase of a subject who had run from a traffic stop and entered into said property, causing the police to gain entry.

HOWARD STOKES \$900.00 for auto damage caused by rocks and debris thrown while City worker was cleaning debris off the street with a blower at 2911 Holcomb Avenue on June 4, 2015.

APRIL WILSON \$500.00 for repayment of one-half of insurance deductible for auto damage caused by a piece of rebar sticking out of the curb at Bergman Academy on or about March 9, 2015.

TROVER SOLUTIONS \$303.66 for insurance carrier portion of settlement of April Wilson's claim regarding auto damage caused by a piece of rebar sticking out of the curb at Bergman Academy on or about March 9, 2015.

GREGG & JEANNE SIGMUND \$159.00 payment for damage to Claimants' gutter at 5583 Meredith Drive, Unit D, which was damaged when a City garbage truck backed into it on February 2, 2015.

Respectfully submitted,



Jeffrey D. Lester
City Attorney