



Roll Call Number

Agenda Item Number

29

Date April 25, 2016

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				
MOORE				
WESTERGAARD				
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

John O. Haraldson
Shellie Mackel

ASSISTANT CITY ATTORNEYS

Roger K. Brown
Luke DeSmet

Ann M. DiDonato
Thomas G. Fisher Jr.
Glenna K. Frank
Katharine J. Massier
Douglas P. Philip
Jessica D. Spoden
Lisa A. Wieland



April 25, 2016

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:

SELENE FINANCIAL \$1,875.00 for sewer backup on 10/24/15 at 220 Leland Avenue, owned by SRMOF II 2012-1 Trust, which was caused by a blocked City main.

TIMOTHY KINNAN \$30.00 for a damaged mailbox at 5714 South Union Street, which was struck by a City snow plow on December 28, 2015.

DARLENE CALDERON \$2,458.75 for property damage to legally parked vehicle by a City snow plow at 2757 Boston Avenue on December 30, 2015.

GARY SONDERLEITER \$322.80 for damage to Claimant's windshield on December 29, 2015 when a City snow plow threw a piece of rock salt into the windshield, cracking it.

TIMOTHY & DIANNE JORDAN \$122.27 for property damage at 127 Tonawanda Drive on December 28, 2015, when City snow plow went over curb into Claimant's yard and damaged electric fence.

JUAN PAZ \$314.95 for damage to a City Mechanic's personal flashlight due to fire sprinkler water damage at the Public Works garage on January 6, 2016.

LINDA DYSON \$832.50 for auto damage to Claimant's vehicle caused by a Parks Department vehicle's failure to yield from a stop sign at East 34th and Dean on January 12, 2016.

TRAVELERS INSURANCE \$1,643.72 for additional payment of deductible toward the claim of Amanda Knight, whose vehicle was struck by a City dump truck on April 15, 2015. This payment

plus the previous payment to Travelers in the amount of \$3,356.28 completes payment of the \$5,000.00 deductible.

CENTURYLINK \$3,537.20 for damaged cable which was outside the locate request of City curb replacement work at 2666 Boyd Ave. on October 12, 2015.

CINDY HACKER \$30.00 for damage to Claimant's mailbox at 5959 S.E. 16th Ct., which was damaged by a City snow plow on February 2, 2016.

RAYMOND LENOX \$352.44 for damage to Claimant's vehicle windshield caused by salt from a City snow plow on February 2, 2016.

MIDAMERICAN ENERGY \$215.93 for damage to a padmount transformer at 201 S.E. 1st St., caused by a City lawnmower on July 24, 2015.

MATT NOLAN \$1,107.70 for damage to Claimant's property located at 2715 Adams Avenue caused by a City skid loader while the Public Works Department was performing clean-up operations on November 13, 2015.

LONNIE JORDAN \$413.72 for reimbursement of property damage caused by a City police vehicle in an auto accident of February 3, 2016.

RUBEN CEDILLO \$481.80 for auto damage to Claimant's vehicle caused by a City snow plow on February 2, 2016.

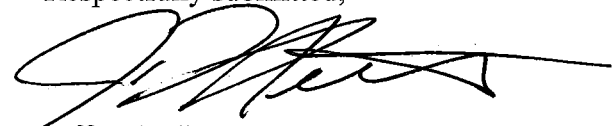
PATRICK POSTON \$4,618.75 for auto damage to Claimant's vehicle due to a City NID vehicle backing into Claimant's vehicle on February 17, 2016.

RAMSEY COLLISION CENTER \$3,193.10 for damage to Claimant Angela Knoblauch's parked vehicle on January 23, 2016 when a City police vehicle lost control and struck it in the passenger side rear.

ENTERPRISE RENT-A-CAR \$359.00 for the cost of a rental vehicle for Claimant Patrick Poston due to an auto accident on February 17, 2016 with a City NID vehicle.

MELVIN & SHIRLEY KEUL \$1,006.06 for a sewer backup at Claimant's property located at 1009 E. Lacona, which was caused by the City's jetting activities on March 6, 2016.

Respectfully submitted,



Jeffrey D. Lester
City Attorney