



Roll Call Number

Agenda Item Number

24

Date May 23, 2016

APPROVING SETTLEMENT AGREEMENT AND RELEASE FOR RECOVERY OF PROPERTY DAMAGE CLAIMS

WHEREAS, the Des Moines City Council approved an agreement for joint representation at its May 9, 2016 meeting by Roll Call 16-0771; and

WHEREAS, pursuant to that agreement, the City participated in a settlement mediation in an effort to recover costs associated with the City's property damage claims related to the March 2014 fire at 713 Walnut Street; and

WHEREAS, a Settlement Agreement and Release has been negotiated with the City in settlement of its claims subject to City Council approval; and

WHEREAS, it is the opinion of the Legal Department that approval of the Settlement Agreement and Release would be in the best interest of the City of Des Moines; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That the Settlement Agreement and Release is approved and the Mayor hereby is authorized to execute such Agreement.

Moved by _____ to adopt.

Approved as to form:

[Handwritten signature]

Carol J. Moser, Deputy City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and 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