



Roll Call Number

Agenda Item Number

33

Date June 27, 2016

APPROVING PAYMENT FOR THE PROPERTY CLAIM OF THE DL PETERSON TRUST, ELEMENT VEHICLE MANAGEMENT SERVICES, LLC, SUBROGEE

WHEREAS, the Element Vehicle Management Services, LLC ("Element") as subrogee for the DL Peterson Trust has filed a claim against the City of Des Moines for property damage to a vehicle owned by the trust; and

WHEREAS, a settlement agreement has been negotiated with Element as subrogee for the DL Peterson Trust; and

WHEREAS, it is the opinion of the Legal Department that approval of the settlement agreement and payment of the settlement amount would be in the best interest of the City of Des Moines.

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

That the Legal Department hereby is authorized to enter into the settlement agreement with Element Vehicle Management Services LLC, P.O. Box 22543, Baltimore, MD 21298 subrogee for the DL Peterson Trust negotiated in this matter, execute any documents necessary to effectuate the terms of the settlement agreement, and that payment of the settlement amount hereby is approved, and the Finance Director is authorized to and directed to draw a warrant accordingly under Fund Codes 529410; PW247410.

FORM APPROVED:

MOVED BY \_\_\_\_\_ TO ADOPT

Signature of 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.

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.

MOTION CARRIED APPROVED

Mayor

City Clerk