



Roll Call Number

Agenda Item Number

21

Date November 7, 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

Handwritten signature of Jeffrey D. Lester, City Attorney

Jeffrey D. Lester
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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

John O. Haraldson
Shellie Mackel

ASSISTANT CITY ATTORNEYS

Roger K. Brown
Lawrence F. Dempsey

Luke DeSmet
Ann M. DiDonato
Thomas G. Fisher Jr.
Glenna K. Frank
Douglas P. Phillip
Jessica D. Spoden
Lisa A. Wieland



November 7, 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:

BROOKE SANDERS \$784.82 for auto damage to Claimant's vehicle due to an auto accident caused by a Parks Department employee on May 2, 2016.

ROBERT and LORI KOROCK \$749.56 for a sewer backup at 3422 E. 40th Street on December 1, 2015, caused by tree roots blocking the City main.

CEI LOSS RECOVERY \$312.89 for damage to Claimant's stopped vehicle caused by a City snow plow on January 12, 2016.

LACEY HOWARD \$354.41 for auto damage to Claimant's vehicle when Claimant struck a newly-installed, unmarked bump-out at 16th Street and Grand Avenue on June 16, 2016.

NORWALK READY MIX \$1,775.53 for damage to Claimant's vehicle when a City sewer employee's tool box lid, which was not closed properly, struck the vehicle on June 23, 2016.

KENNY MCCARL \$2,729.35 for damage to Claimant's motorcycle when, on the evening of May 22, 2016, he struck a newly-installed, un-marked curb on Hull Avenue, east of Dixon, where there was a road before.

DAN COLEMAN \$32.50 for out-of-pocket rental expenses incurred by Claimant due to a snow plow striking Claimant's parked vehicle on February 3, 2016.

PROGRESSIVE INSURANCE \$3,488.00 for auto damage to insured (Dan Coleman's) parked vehicle by a snow plow on February 3, 2016.

WENDY MCNALLY-DEVRIES & TIMOTHY DEVRIES \$3.98 for damage to Claimant's mailbox which was struck by a City driver on June 9, 2016.

TRAVELERS INSURANCE \$5,000.00 for insurance deductible regarding auto/bodily injury claim of David Tedder due to an auto accident with a City snow plow on February 2, 2016.

JOAN STUART \$150.00 for damage to Claimant's vehicle caused when a City ambulance struck Claimant's stopped vehicle at a stop sign on June 16, 2015.

RICARDO HERNANDEZ \$363.73 for damage to Claimant's parked vehicle caused by a City Engineering vehicle on August 11, 2016.

EFCO CORPORATION \$1,160.00 for property damage as a result of a police officer losing control and driving into the Claimant's fence at 1800 N.E. Broadway Ave. on August 13, 2016.

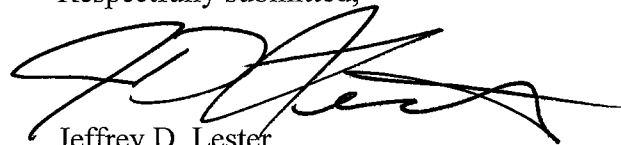
DONALD BLUNCK \$86.45 for property damage to Claimant's property located at 1110 County Line Road as a result of a City backhoe striking electric line attached to the house on July 26, 2016.

DYLAN DEGNER \$1,143.10 for damage to Claimant's legally parked vehicle due to a City fire truck striking it on August 10, 2016.

MARY LAUGHLIN \$217.59 for sewer backup at 411 51st St. on September 22, 2016, due to tree roots in the City main.

EPPARD WHOLESALE TRUCK, INC. \$3,805.00 for auto damage to Claimant's vehicle caused by the arm extension of a City garbage truck on September 12, 2016.

Respectfully submitted,



Jeffrey D. Lester
City Attorney