



Roll Call Number

Agenda Item Number

32

Date April 9, 2018

Report from the Legal Department concerning settlements made by the 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	NAVS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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

CITY ATTORNEY
Jeffrey D. Lester

SENIOR LITIGATORS
John O. Haraldson
Shellie Mackel

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

DEPUTY CITY ATTORNEYS
Lawrence R. McDowell
Carol J. Moser
Kathleen Vanderpool

ASSISTANT CITY ATTORNEYS
Roger K. Brown
Lawrence F. Dempsey



April 9, 2018

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:

LANCE & ELIZABETH SHAY, \$257.05 for a sewer backup at 242 Hart Avenue on December 16, 2017, caused by a blockage of tree roots in the City main.

RONALD BREESE, \$153.69 for damage to Claimant's vehicle on December 27, 2017 caused by a stop stick placed in the road by DMPD directly in the path of Claimant, who was not the subject of the chase.

SCOTTY'S BODY SHOP, \$3,378.93 for rental car expense and for damage to Claimant Kari Pinta's vehicle when the City driver was parked on High Street on September 11, 2017 and opened the vehicle door into the side of the Claimant's vehicle when exiting the City vehicle.

BILLION AUTOMOTIVE, \$2,420.94 for damage to Claimant's vehicle on December 12, 2017 when a Public Works employee backed out of a dead-end street onto 30th Street and struck Claimant's parked vehicle. ENTERPRISE-RENT-A-CAR, \$348.94 for rental car expense associated with the claim.

220 SE 6TH ST. PROPERTIES, LLC, \$3,657.00 in payment of claim of January 29, 2018 when a City vehicle struck a water pipe at the parking ramp at 220 SE 6th Street.

SPOTFREE CARWASH \$30.00 for damage to Claimant's mailbox at 3104 Indianola Road on February 1, 2018, caused by a City snowplow.

HOWARD & SUSAN GARNETT \$30.00 for damage to Claimant's mailbox at 3822 S.W. 26th Street on February 10, 2018, caused by a City snowplow.

MIDAMERICAN ENERGY \$166.16 for damage wire to a street light at Fleur Drive and Bell Avenue on June 19, 2017, which was caused by a City sewer crew.

TIM AND DIANNE JORDAN, \$87.09 for damage caused to claimant's invisible fence by a City driver during the winter of 2017-2018.

SCOTTY'S BODY SHOP, \$374.41 for repair to claimant's vehicle that was struck by a snowplow on February 8, 2018 on Polk Blvd. near Woodland Avenue.

CHANDY SOUVATRAT, \$2,112.48 for property damage when a police vehicle backed into a parked vehicle at 103 East 2nd Street on February 7, 2018.

STEPHAN AND CRISTAL COPPOCK, \$3,541.09 in payment of property damage caused by blocked sewer on March 3, 2018 at 3123 Vilura Parkway.

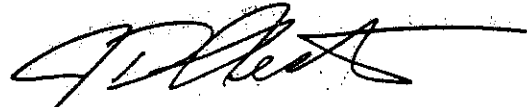
WRECK A MENDED COLLISION CENTER, \$3,558.79 for repair of damage to claimant's vehicle caused on September 25, 2017 when City vehicle backed up and struck parked vehicle on East 7th Street near Aurora Avenue; ENTERPRISE RENT A CAR, \$334.18 for rental car expense.

KNOB HILL CONDOMINIUM ASSOCIATION, \$155.00 for damage to storage shed that was damaged on February 12, 2018 when solid waste driver was emptying dumpster and pushed it into claimant's shed at 4027 E. University Avenue.

TIM KRUSE, \$564.10 to repair vehicle that was parked and struck by snow plow on December 31, 2017 at 2809 Kingman Blvd.

ICS LOGISTICS, LLC, \$1,188.40 in payment of property damage claim of February 5, 2018 when plow truck struck vehicle at Guthrie and Delaware.

Respectfully submitted,



Jeffrey D. Lester
City Attorney