



Roll Call Number

Agenda Item Number

22

Date July 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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, BOESEN, MANDELBAUM, WESTERGAARD, TOTAL, MOTION CARRIED, APPROVED, and Mayor signature line.

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

SENIOR LITIGATORS
John O. Haraldson
Shelle Mackel

Luke DeSmet
Ann M. DiDonato
Thomas G. Fisher Jr.
Glenna K. Frank
Douglas P. Phillip
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



July 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:

TRAVELERS, \$5,000.00 in payment of a property damage claim of January 15, 2018 when a snow plow was unable to stop at a stop sign, slid into Hickman Rd. and was struck by the claimant vehicle which had the right-of-way.

STUART SAMPSON, \$443.00 for property damage on April 3, 2018 at 1815 63rd Street when a blocked sewer caused a backup in the claimant's basement.

DEWEY FORD BODY SHOP, \$3,258.70 for damage to claimant's vehicle on March 6, 2018 when solid waste truck backed into stopped vehicle at East 14th Street and Royer Street.

DONALD WOODS, JR., \$12.62 in payment of claim of April 7, 2018 when police officer was on scene at S.E. 14th Street for towing claimant's vehicle and officer placed keys on the trunk of claimant's vehicle; tow truck drove away and keys were lost.

CASSANDRA GORDON, \$4,810.48 in payment of a claim of April 26, 2018 when a police investigator mistakenly entered Cassandra Gordon on a warrant for larceny rather than the correct suspect, Kassandra Gordon, which resulted in an arrest of the wrong person.

RYAN AND KELLEY HOWELL, \$230.50 for property damage on March 26, 2018 when City driver was performing an inspection and he pulled onto claimant's property and the yard was damaged.

CAROL RENDA, \$699.18 for damage to claimant's vehicle on April 5, 2018 when police officer backed into parked vehicle at 103 East 2nd Street.

ROBERT WHITE, \$395.88 for property damage resulting from a blockage in the City main on May 11, 2018 that caused a backup into claimant's basement at 120 E. 35th Court.

ISAAC FANDEH, \$1,061.37 for vehicle damage on March 30, 2018 when police car struck the rear end of claimant's vehicle while northbound on MLK Jr. Parkway at Jefferson Street.

JOHN PEREZ, \$1,993.02 for damage to vehicle on May 7, 2018 when garbage truck struck parked car with the lift claw on 54th Street north of Douglas Avenue.

LAUREN REEVES, \$1,601.31 for damage to claimant's vehicle due to alleged debris falling from city recycling truck on June 16, 2017.

BRADLEY HOMEOWNERS ASSOCIATION, \$3,300.00 in payment of property damage on 4/9/18 when garbage truck drove onto claimant's driveway to empty the dumpster and damaged three panels of concrete.

MARY CHASE, \$1,364.69 for damage to claimant's basement due to sewer backup caused by tree roots on 2/24/18 and 2/26/18.

WILLIAM WILCOX, \$1,539.45 for damage to claimant's residence due to sewer backup caused by a blockage on 5/12/18.

KARL CHEVROLET, \$1,778.03 for damage to claimant's vehicle due to a garbage truck's load striking the vehicle on 5/19/18.

ENTERPRISE RENT-A-CAR COMPANY MIDWEST LLC, \$208.46 for a replace car due to damage caused by a garbage truck load on 5/19/18.

CARLYLE & GAYLE THOMPSON, \$350.00 for damage to claimant's siding due to recycle truck hitting trees on 12/27/17.

ASHLEY PALMER, \$522.58 for damage to claimant's vehicle due to garbage from a toter on 4/23/18.

Respectfully submitted,



Jeffrey D. Lester
City Attorney