



Date May 6, 2019

APPROVING SETTLEMENT AND AUTHORIZING DMMHA EXECUTIVE DIRECTOR TO EXECUTE SETTLEMENT AGREEMENT IN *MCDOWELL ET AL. V. DMMHA*

WHEREAS, on October 29, 2014, a lawsuit was filed by Jeanette McDowell on behalf of residents of Royal View Manor alleging injuries due to bedbugs; and

WHEREAS, a settlement has been negotiated towards which the Des Moines Municipal Housing Agency (“DMMHA”) has agreed to contribute; and

WHEREAS, a Settlement Agreement has been drafted for execution by the parties; and

WHEREAS, Des Moines Municipal Code Section 90-2(6) vests the Municipal Housing Governing Board with the authority to settle lawsuits involving municipal housing matters; and


WHEREAS, it is the opinion of the Legal Department that approval of the Settlement Agreement and payment of the settlement contribution of \$100,000.00 would be in the best interest of the DMMHA.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL HOUSING GOVERNING BOARD:

- 1) That the DMMHA Executive Director is authorized to execute the Settlement Agreement negotiated in *McDowell et al. v. DMMHA* subject to approval as to form by the Legal Department; and
- 2) That payment of the settlement amount of \$100,000.00 is approved and DMMHA is authorized and directed to draw a warrant accordingly.

Moved by _____ to adopt.

APPROVED AS TO FORM:



 Carol J. Moser
 Deputy City Attorney

M.H.G.B. ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City of Des Moines, Municipal Housing Agency Governing Board, 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.