

★ Roll Call Number

Agenda Item Number

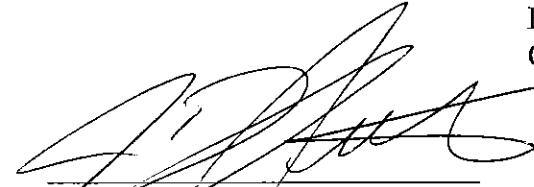
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Date October 14, 2019

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.



Jeffrey D. Lester
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

Acting City Clerk

CITY ATTORNEY
Jeffrey D. Lester

SENIOR LITIGATORS
John O. Haraldson
Shellie Mackel

Ann M. DiDonato
Thomas G. Fisher Jr.
Glenna K. Frank
Megan E. Norberg
Judy K. Parks-Kruse
Douglas P. Philip
Lisa A. Wieland

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

ASSISTANT CITY ATTORNEYS
Roger K. Brown
Lawrence F. Dempsey
Luke DeSmet



October 14, 2019

**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:

THOMAS HANIAN, \$2,818.88 in payment of property damage claim of January 23, 2019 when a snowplow struck legally parked vehicle at 2705 Arnold Road.

COUNTRY MUTUAL AS SUBROGEE OF PAUL AND MINDI DAYTON, \$3,458.45 for damage to vehicle caused when snowplow pushed snow that struck claimant's vehicle while it was stopped at a red light waiting to exit the airport at Fleur Drive on February 27, 2019; PAUL AND MINDI DAYTON, \$837.16 for rental car expense.

GRAHAM BODY SHOP, \$1,326.37 in payment of property damage claim of April 10, 2019 when City vehicle rear-ended claimant's vehicle that was stopped at a stop sign at Payne and 30th Streets.

MIDAMERICAN ENERGY, \$157.57 for damage at 1631 Fleur Drive on April 24, 2019 when Parks department staff was mowing and struck claimant's property.

JOHN AND LAURA PFALTZGRAFF, \$592.22 in payment of property damage claim when City sewer backed up into claimant's basement at 6105 Crown Lane on May 21, 2019.

MIDAMERICAN ENERGY, \$1,153.67 for repairs to gas main that was damaged at S.W. 16th Street and Amos Avenue on June 6, 2019 when City sewer crew was digging and struck a gas main.

MIDAMERICAN ENERGY, \$684.32 for repairs to utility pole that was pulled down when struck by an equipment bucket on July 2, 2019 at 1731 13th Street.

MARTHA SCULFORT, \$2,868.97 for property damage resulting from July 3, 2019 blockage in the City main which resulted in a sewage backup at 227 Glenview Drive.

TIERRA BROWN, \$2,770.00 in payment of property damage claim of July 5, 2019 when garbage truck struck parked and unoccupied vehicle at 1018 Lewis Avenue.

USAA AS SUBROGEE FOR NICOLE WILFORD, \$1,888.39 in payment of claim of July 8, 2019 when City truck driver struck claimant's vehicle while making a turn on Hickman Road at 56th Street.

KYLA GARDNER AND ANTONIO ORTEGA, \$642.50 for property damage caused by a sewer backup on July 17, 2019 at 2915 Guthrie Avenue.

Respectfully submitted,



Jeffrey D. Lester
City Attorney