



Roll Call Number

Agenda Item Number

21

Date April 20, 2020

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

Carol J. Moser
Deputy City Attorney

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

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, 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



April 20, 2020

HONORABLE MAYOR AND MEMBERS OF
THE DES MOINES CITY COUNCIL

Re: Report of Claims and Lawsuits \$5,000.00 and Under

Pursuant to the authority and direction of the Des Moines City Council which allows the City Attorney to settle claims and lawsuits not to exceed \$5,000.00, I submit to Council the following summary report of settlements made in the 1st Quarter, 2020:

MIDAMERICAN ENERGY, \$1,010.66 for a damaged gas line struck by a sewer crew on July 31, 2019 at 420 East Payton Avenue.

TONY MORO COLLISION CENTER, \$3,793.43 for repairs made to a vehicle damaged on November 6, 2019 when a City vehicle backed into the parked and unoccupied vehicle at 805 East Jefferson.

ENTERPRISE RENT-A-CAR, \$238.06 for car rental fees as a consequence of a November 23, 2019 auto accident.

TONY MORO COLLISION CENTER, \$1,989.89 for auto repairs after a squad car backed into the side of Claimant's vehicle in a QT parking lot on November 23, 2019.

STEVE AND JULIE OSWALT, \$30.00 (maximum authorized by Municipal Code) for snowplow damage to a mailbox at 4737 East 38th Street on January 11, 2020.

WILLIAM AND PATRICIA GLENN, \$30.00 for snowplow damage to a mailbox at 2707 East Leach Avenue on January 18, 2020.

PAUL JOHNSON, \$994.81 for vehicle damage when a snowplow struck the side mirror of a vehicle on January 18, 2020, at 6th Avenue and University Avenue.

NIKOLAS BENDER AND ANDREW SNYDER, \$353.10 for snow plow damage to a legally parked vehicle on the street near 1525 41st Place on January 18, 2020.

JONATHAN FANAI, \$2,991.25 for damage to a parked vehicle by a garbage truck toter gripper on January 20, 2020.

EDDIE EVANS, \$2,699.20 for snowplow damage to a vehicle on January 22, 2020 at Polk Boulevard and Lakeview Drive.

JORDAN FRAKER, \$318.73 for snowplow damage to a vehicle on January 23, 2020 near 1124 Spring Street.

CALEB AND ANDREA SCHROEDER, \$30.00 for snowplow damage to a mailbox 4051 S.W. 56th Street.

RANDI PARKER, \$886.39 for snowplow damage to a vehicle at 2010 East 13th Street on January 23, 2020; the amount represents a 50% adjustment due to the car being illegally parked.

GRAHAM COLLISION, \$1,789.60 for repairs to a vehicle after a collision with a Parks Department snow removal scooter on 53rd Street near Riley Park on January 23, 2020.

LINN AND LINDA WEST, \$30.00 for snowplow damage to mailbox at 401 East Titus Street on January 25, 2020.

ABBY MOHR, \$3,413.77 for expenses after a sewer backup into the basement at 2610 33rd Street on January 26, 2020.

RITA BREIER, \$30.00 for snowplow damage to a mailbox at 2721 Hubbell Avenue on February 13, 2020.

BAKER ELECTRIC, \$493.70 for snowplow caused vehicle damage on I-235 on February 13, 2020.

STEVEN KNIGHT, \$585.71 for vehicle damage by a Public Works vehicle near 2652 Hull Avenue on March 4, 2020.

SCOTT COOPER JR., \$1,686.32 for vehicle damage after a garbage truck catapulted a concrete chunk into a parked vehicle near 26th Street and University on March 6, 2020.

Respectfully submitted,



Carol J. Moser
Deputy City Attorney