



Roll Call Number

09-2187

Agenda Item Number

25

December 7, 2009

Date

WHEREAS, Judy Liston and her insurance carrier submitted a claim for property damage as the result of a sewer backup at 3213 Henry Avenue on April 28, 2009 in the total amount of \$42,130.19; and

WHEREAS, after investigation by the Legal Department, including depreciation and adjustment by agreement, it appears this claims warrants payments in the amounts of \$10,000.00 to Westfield Insurance as Subrogee of Judy Liston and \$10,259.89 to Judy Liston, a single person; and

WHEREAS, such payments would be in the best interest of the City of Des Moines; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That payments in the amounts of \$10,000.00 to Westfield Insurance Company as Subrogee of Judy Liston, under Claim No. NR-WNP-1623632-042809-A, 7155 Lake Dr., Ste. 120, West Des Moines, IA 50266, and payment in the amount of \$10,259.89 to Judy Liston, 3213 Henry Ave., Des Moines, IA 50315, be and the same is hereby approved, and the Finance Director is authorized and directed to draw warrants accordingly, under Fund Codes 529410; EN101; PWK071000. The total adjusted amount paid for this claim then equals \$20,259.89.

FORM APPROVED:

MOVED BY

Vlassis

TO ADOPT

Mark Godwin

Mark Godwin
City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| HENSLEY | ✓ | | | |
| KIERNAN | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MEYER | ✓ | | | |
| VLASSIS | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED

APPROVED

J. M. Franklin
Mayor

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.

Diane Rauh

City Clerk