



Roll Call Number

09-2277

Agenda Item Number

19

December 21, 2009

Date

WHEREAS, Dale Bingaman submitted a claim for property damage and bodily injury as the result of an accident on October 20, 2008; and

WHEREAS, after investigation by the Legal Department payment in the amount of \$4,450.00 for the total loss of Mr. Bingaman's car and \$379.49 for car rental expense was made to Mr. Bingaman before retention of Rob Garver as his attorney; and

WHEREAS, it appears this claim also warrants payment in the amount of \$21,000.00 to Dale Bingaman, a single person, and Attorney Rob Garver; and

WHEREAS, such payment 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 final payment in the amount of \$21,000.00 to Dale Bingaman, as a single person, and Attorney Rob Garver, 475 South 50th Street, Suite 200, West Des Moines, Iowa 50265, be and the same is hereby approved, and the Finance Director is authorized and directed to draw a warrant accordingly, under Fund Codes 529410; GE001; POL 100100.

The total amount for property damage and bodily injury then equals \$25,829.48.

FORM APPROVED:

MOVED BY Hensley TO ADOPT

Mark Godwin

Mark Godwin
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLISSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. 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