

★ Roll Call Number

13-1332

Agenda Item Number

25

Date August 26, 2013

WHEREAS, John Donahey, Jr. has a lawsuit against the City of Des Moines alleging injuries sustained in a trip and fall incident in the area of East 2nd and Court Avenue on or about February 20, 2011; and

WHEREAS, the parties have reached a proposed settlement; and

WHEREAS, it is the opinion of the Legal Department that payment of the proposed settlement amount 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 payment of \$10,000.00 be made and the same is hereby approved to John Donahey, Jr. and his attorney, Spellman Law Firm Trust Account, 1024 Second St., P.O. Box 550 Perry, IA 50220, and the Finance Director is authorized and directed to draw a warrant accordingly under Org Codes 529410; PW240402, and the Legal Department is authorized to execute any documents necessary to effectuate the settlement agreement.

FORM APPROVED:

MOVED BY Mahaffey TO ADOPT.

Gary D. Goudebeck, Jr. Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk