

★ **Roll Call Number**

14-1856

Agenda Item Number

35

December 8, 2014

Date

WHEREAS, Nick Cardamon submitted a claim for property damage as a result of a blocked sewer main on or about August 28, 2014 & September 9, 2014; and

WHEREAS, it has been determined that the City of Des Moines is liable for the property damage; and

WHEREAS, the legal department has negotiated a settlement agreement with the claimants; and

WHEREAS, payment of the 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 the settlement amount to Nick Cardamon 2800 Wolcott Ave. Des Moines, IA 50321 be and the same is hereby approved, and the Finance Director is authorized and directed to draw a warrant accordingly, under Fund Codes 529410; PW240410, and the legal department is hereby authorized to execute any documentation necessary to effectuate the terms of the settlement agreement.

FORM APPROVED:

MOVED BY

Gatto

TO ADOPT.

Carol J. Moser

Carol J. Moser
Deputy City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| HENSLEY | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MOORE | ✓ | | | |
| 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