

★ Roll Call Number
15-0040

Agenda Item Number
27

January 12, 2015

Date _____

APPROVAL OF CLAIM SETTLEMENT FOR SEWER BACKUPS AT 3715 S.W. 28th PL.

WHEREAS, Mary Stoberl submitted a claim for property damage as a result of a blocked sewer main on September 4 and 7, 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 claimant and her insurer's subrogation carrier; 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 Mary Stoberl, 3715 S.W.28th Place, Des Moines, IA 50321 and her insurer Met Life's subrogation carrier, Trover Solutions, P.O. Box 36220, Louisville, KY 40233-6220 is hereby approved, and the Finance Director is authorized and directed to draw a warrant accordingly, under Fund Codes 529410;PW247410, and the legal department is hereby authorized to execute any documentation necessary to effectuate the terms of the settlement agreement.

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Carol J. Moser
Carol J. Moser, Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

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 Mayor

Diane Rauh City Clerk