

★ **Roll Call Number**

Agenda Item Number

15-0656

18

April 20, 2015

Date

WHEREAS, Richard and Carol Jeanne Harvey, 106 Parmer Drive, Des Moines, Iowa 50315, submitted a claim for damage as a result of an automobile accident on or about July 29, 2014; and

WHEREAS, State Auto Insurance Companies, 1300 Woodland Ave., West Des Moines, Iowa 50265 paid such damages of its insureds, Richard and Carol Jeanne Harvey, and now seek reimbursement from the City; and

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

WHEREAS, the Legal Department has negotiated a settlement agreement with the claimants and their insurer; 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 State Auto Insurance Companies, 1300 Woodland Ave., West Des Moines, IA 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; PW240402, 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.

APPROVED AS TO FORM:

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 Cownie
 Mayor

Diane Rauh
 City Clerk