



Roll Call Number

18-1992

Agenda Item Number

23

Date December 3, 2018

APPROVING SETTLEMENT AND PAYMENT TO DUSTIN BURNIKEL REGARDING HIS CIVIL LAWSUIT

WHEREAS, Dustin Burnikel filed a lawsuit against the City of Des Moines and two Police Officers arising out of an arrest in 2013; and

WHEREAS, a settlement agreement has been negotiated with Dustin Burnikel; and

WHEREAS, it is the opinion of the Legal Department that approval of the settlement agreement and 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 the Legal Department is authorized to enter into the settlement agreement negotiated in this matter, execute any documents necessary to effectuate the terms of the settlement agreement, and that payment of the settlement amount hereby is approved and the Finance Director is authorized and directed to draw a warrant accordingly under Fund Codes 529410; PD220354.

Moved by Gatto to adopt.

Approved as to Form:

John O. Haraldson, Sr. Litigator/Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and 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.

J. M. Franklin Cownie Mayor

Diane Rauh City Clerk