



Roll Call Number

19-1405

Agenda Item Number

40

Date September 9, 2019

APPROVING PAYMENT TO DES MOINES TRANSLOAD SERVICES, LLC TO RESOLVE ITS CIVIL LAWSUIT

WHEREAS, Des Moines Transload Services, LLC. has filed a claim against the City of Des Moines arising out of a civil lawsuit against the City; and

WHEREAS, a settlement agreement has been negotiated with Des Moines Transload Services, LLC; 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.

MOVED BY Boesen TO ADOPT.

Form approved:

John O. Haraldson
Assistant City Attorney

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

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. Frankh Cownie Mayor

Diane Rauh City Clerk