

★ Roll Call Number

19-1920

Agenda Item Number

23

Date December 2, 2019

APPROVING PAYMENT FOR THE PROPERTY CLAIM OF EQUIAN ON BEHALF OF AUTO OWNERS INSURANCE COMPANY AS SUBROGEE OF ITS INSURED SHAYNA NEWMAN

WHEREAS, Equian works on behalf of Auto Owners Insurance Company to collect matters subject to subrogation; and

WHEREAS, Equian has filed a subrogation claim against the City of Des Moines for property damage sustained by Auto Owners Insurance Company's insured Shayna Newman; and

WHEREAS, a settlement agreement has been negotiated with Equian; 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:

[Signature]

Carol J. Moser, Deputy City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL (7 yeas).

CERTIFICATE

I, P. Kay Cmelik, 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.

[Signature] Mayor

[Signature] City Clerk