



Roll Call Number

20-1113

Agenda Item Number

29

Date July 13, 2020

APPROVING PAYMENT TO EQUIAN AS SUBROGEE FOR EVEREST NATIONAL IN THE PERSONAL INJURY CLAIM OF KIRK FERNEAU

WHEREAS, Equian seeks reimbursement on behalf of Everest National which paid for the costs associated with a personal injury sustained by Kirk Ferneau an employee of its insured, The Conley Group; and

WHEREAS, a settlement agreement has been negotiated; and

WHEREAS, it is the opinion of the Legal Department that payment 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 Interim Finance Director is authorized and directed to draw a warrant accordingly.

MOVED BY Gatto TO ADOPT.

Form Approved: /s/ Carol J. Moser

Carol J. Moser Deputy City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

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.

Handwritten signature of J. M. Franke, Mayor

Handwritten signature of P. Kay Cmelik, City Clerk