

★ Roll Call Number

Agenda Item Number

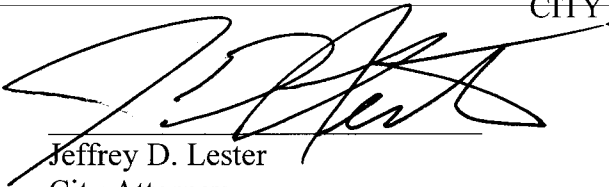
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Date January 13, 2014

Communication from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000.00.

FORM APPROVED:

MOVED BY _____ TO RECEIVE,
FILE AND AFFIRM SETTLEMENTS MADE BY
CITY ATTORNEY



Jeffrey D. Lester
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
VOSS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk

CITY ATTORNEY

Jeffrey D. Lester

DEPUTY CITY ATTORNEYS

Mark Godwin
Lawrence R. McDowell
Kathleen Vanderpool

ASSISTANT CITY ATTORNEYS

Roger K. Brown
Ann M. DiDonato
David A. Ferree
Glenna K. Frank
Gary D. Goudelock, Jr.

Michael F. Kelley
Vicky L. Long Hill
Katharine J. Massier
Carol J. Moser
Douglas P. Philip



January 13, 2014

HONORABLE MAYOR AND MEMBERS OF
THE DES MOINES CITY COUNCIL

Re: Report to Council

Pursuant to the authority and direction of Council authorizing the City Attorney to settle claims, lawsuits and workers compensation actions for a total sum not to exceed \$5,000, I submit to Council the following summary report of settlements made:

TMC AUTO BODY \$2,843.34 for repair of Claimant Krista Allen’s automobile as the result of an auto accident occurring on or about September 19, 2013 involving a City garbage truck.

KEVIN STAPLEFORD, D.C. \$432.00 for medical bill involving the bodily injury claim of Patricia Eyerly, stemming from an automobile accident with a Housing employee on July 11, 2013.

DON QUANG \$1,698.51 for auto damage to Claimant’s vehicle due to an auto accident with City police officer on September 25, 2013.

MVP FENCE \$486.00 for repair of Claimant Betty Fazio’s fence due to damage caused by solid waste truck on or about July 5, 2013.

NELSON NGO \$475.00 for property damage due to tree in ROW falling on Claimant’s power line on September 19, 2013.

MICHAEL CONNER \$300.00 for auto damage due to gravel thrown by City street sweeper on or about September 10, 2013.

MET LIFE AUTO & HOME \$91.21 for subrogation claim of Michelle Greene due to bodily injury suffered when Parks employee rearended Claimant’s van on March 28, 2013.

TRAVELERS INSURANCE \$5,000.00 for insurance deductible to City’s insurance carrier due to claim of Andrew Pratt for auto accident involving City plow driver on January 30, 2013.

TMC AUTO BODY \$1,570.19 for repair of Claimant Jennifer Smith’s vehicle due to auto accident involving City’s meter checker on June 28, 2013.

LORA FRARACCI \$236.63 for windshield damage to Claimant's vehicle when City truck threw rock salt on October 17, 2013.

GUIDEONE INSURANCE \$1,420.51 for payment of subrogation claim on behalf of Claimant Barbara Fees as the result of an auto accident when Public Works employee backed into Claimant's vehicle on August 12, 2013.

TORGERSON EXCAVATING \$1,350.00 for payment of excavation charges incurred by Des Moines Water Works due to the stop box of Claimant Joyce Reed being buried by a Public Works crew.

BRIAN MCKENZIE \$1,590.53 for payment of judgment, interest and court costs for a small claims case arising out of damage to a Public Works employee's vehicle by street sweeping activity near the Public Works yard on or about September 10, 2013.

GRACE ALTHOFF \$2,973.40 for bodily injury occurring when Claimant tripped and fell over concrete curb at Water Works Park on June 28, 2013.

DES MOINES WATER WORKS \$506.38 for damage to fire hydrant located at 900 26th Street, which was hit by garbage collector on or about September 27, 2013.

MIKE WILLIAMSON \$1,700.00 for auto damage to Claimant's vehicle as the result of an auto accident with Public Works employee on or about November 15, 2013.

CENTURY LINK \$1,542.22 for damage to buried cable at 728 East McKinley Avenue due to excavation work on September 18, 2013.

ENTERPRISE RENT-A-CAR \$167.99 for car rental due to meter checker's collision with Claimant Jennifer Smith's parked car on June 28, 2013.

ANTHONY CIANCIARUSO \$175.00 for damage to basketball hoop by pick-up arm of City garbage truck occurring on or about November 14, 2013.

DEBORAH ANDERSON-OLGREN \$1,264.58 for damage to Claimant's parked vehicle when City of Des Moines police officer backed into it on September 14, 2013.

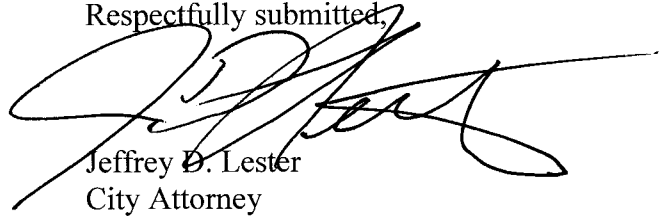
BANKER'S TRUST COMPANY \$106.51 for damage to metal mesh door on Claimant's storage cage when City's Traffic and Transportation employee struck it on August 16, 2013.

STEVEN JOHNSON \$30.00 for damage to mailbox due to a snow plow striking it on December 8, 2013.

JAMIE LOEBIG \$473.60 for bodily injury and property damage to Claimant's bicycle due to police car/bicycle accident occurring on September 5, 2013.

DARREN KNOVIC \$750.00 for property damage to Claimant's vehicle caused by plow truck driver on December 20, 2013.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey D. Lester", written over the typed name below.

Jeffrey D. Lester
City Attorney