



Roll Call Number

Agenda Item Number

28

Date July 13, 2020

Report from the Legal Department concerning settlements made by the 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 | | | | |
| BOESEN | | | | |
| GATTO | | | | |
| GRAY | | | | |
| MANDELBAUM | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |

CERTIFICATE

I, P. Kay Cmelik, Acting 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.

Mayor

Acting City Clerk

CITY ATTORNEY
Jeffrey D. Lester

DEPUTY CITY ATTORNEYS
Lawrence R. McDowell
Carol J. Moser
Kathleen Vanderpool

SENIOR LITIGATORS
John O. Haraldson
Shelie Mackel

ASSISTANT CITY ATTORNEYS
Luke DeSmet
Ann M. DiDonato
Thomas G. Fisher Jr.

Glenna K. Frank
Megan E. Norberg
Judy K. Parks-Kruse
Douglas P. Philip
Lisa A. Wieland



July 13, 2020

HONORABLE MAYOR AND MEMBERS OF
THE DES MOINES CITY COUNCIL

Re: Report of Claims and Lawsuits \$5,000.00 and Under

Pursuant to the authority and direction of the Des Moines City Council which allows the City Attorney to settle claims and lawsuits not to exceed \$5,000.00, I submit to Council the following summary report of settlements made in the 2nd Quarter, 2020:

CHAP VAN BUI, \$1,620.00 for construction damage to Claimant's stopbox at 1619 6th Avenue on July 1, 2019.

TRAVELER'S INSURANCE, \$2,365.69 for payment of Claimant Lisa Deavilla's vehicle damage claim arising from an auto accident with a Housing vehicle at Southeast 14th and Bell Avenue on October 22, 2019.

TRAVELER'S INSURANCE, \$5,000.00 representing the City's deductible for Claimant Shana Johnson's vehicle damage claim arising from an accident with a Public Works vehicle at 2nd and Park Streets on February 12, 2019.

TRAVELER'S INSURANCE, \$5,000.00 representing the City's deductible for Claimant Lisa Dague's claim for snow plow damage to a vehicle in the 200 block of 19th Street on February 17, 2019.

TRAVELER'S INSURANCE, \$5,000.00 representing the City's deductible for Claimant Turfs Up Lawncare's claim for snow plow damage to a vehicle near 2944 Maple Street on February 20, 2019.

TRAVELER'S INSURANCE, \$5,000.00 representing the City's deductible for Claimant James Kifer's claim for snow plow damage to a vehicle at East Washington Avenue near 27th Street on February 24, 2019.

DES MOINES WATER WORKS, \$630.33 for snow plow damage to a fire hydrant near 831 6th Avenue on January 27, 2020.

THOMAS FORCK, \$1,681.84 for sewer backup damage to Claimant's property at 954 23rd Street due to a blockage in the City main on March 4, 2020.

APRIL and CLOYD BREESE, \$454.75 for sewer backup damage to Claimant's property at 3123 Southeast 8th Street due to a blockage in the City main on March 5, 2020.

NATASHA NEWCOMB, \$195.81 for sewer backup damage to Claimant's property at 1925 Lay Street due to a blockage in the City main on March 11, 2020.

JANESSA BELL, \$2,048.22 for vehicle damage resulting from an auto accident with a police squad car on Southeast 14th Street on March 15, 2020.

PAMELA STEARNS, \$478.46 for sewer backup damage to Claimant's property at 3327 Southeast 4th Court due to a blockage in the City main on March 29, 2020.

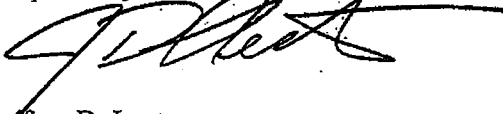
BROCK KONRAD, \$428.00 for reimbursement of City tree removal after strong winds felled it at 600 Polk Boulevard on April 9, 2020.

ANALEA COUTURE, \$3,006.25 for vehicle damage resulting from an auto accident with a police squad car near 1430 2nd Avenue on April 12, 2020.

MATTHEY FOLEY and ALEXIE BAGLEY, \$1,320.73 for sewer backup damage to Claimant's property at 2740 Sheridan due to a blockage in the City main on April 15, 2020.

KRISTI SMITH, \$242.99 for vehicle damage claim arising from unsecured debris falling from street maintenance vehicle into Claimant's windshield on May 4, 2020.

Respectfully submitted,



Jeffrey D. Lester
City Attorney