

★ Roll Call Number

Agenda Item Number

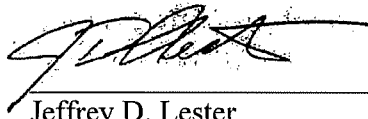
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Date January 11, 2021

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

SENIOR LITIGATORS
John O. Haraldson
Shellie Mackel

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

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

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



January 11, 2021

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 chronological summary report of settlements made in the 4th Quarter, 2020:

AUDRENE HANSEN, \$30.00 for damage to Claimant’s mailbox at 1325 Kenyon Avenue when it was struck by a garbage truck on July 16, 2020.

LEO’S LANDSCAPING, \$970.49 for damage to Claimant’s vehicle when a garbage truck struck it with the collection arm near 6221 Welker on July 17, 2020.

TED’S BODY SHOP, \$2,955.89 for damage to Claimant Randy Tobey’s vehicle due to an auto accident with a City squad car near 100 SE 2nds Street on August 16, 2020.

BETTY SABUS, \$50.59 for vehicle damage to Claimant’s car when a garbage truck failed to yield, causing the Claimant to hit the curb near Euclid Avenue at Bowdoin on September 1, 2020.

PAUL UPDIKE, \$339.99 for damage to Claimant’s boat liner when a City tree dropped a branch into it at 5802 SW 3rd Street on September 8, 2020.

SUE SAND, \$1,273.49 for damage to Claimant’s brick sidewalk at 3827 9th Street caused by equipment used by Public Works while removing derecho debris on September 11, 2020.

JACOB KEMPEN, \$431.21 for damage to Claimant’s vehicle due to liquid dripping from a support beam at the 9th and Locust parking garage on September 11, 2020.

ROBERT GILLES & TIFFANY HA, \$3,713.86 for sewer backup damage caused by obstruction in the City main at 401 SW 42nd Street on September 20, 2020.

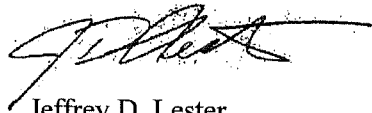
PROGRESSIVE INSURANCE AS SUBROGEE OF TINA EICKELBERG, \$1,069.00 for damage to Claimant’s vehicle by the toter grippers of a garbage truck near 2416 SE 8th Street on October 14, 2020.

MARK PHILLIPS, \$331.65 for damage to Fleet Services employee’s electric wrench when the roof of the Fleet Services building leaked into Claimant’s toolbox on October 22, 2020.

NANCY MOZGA, \$3,642.00 for damage due to a sewer backup at 1617 60th Street on October 28, 2020.

COLLEEN NEFF, \$1,854.90 for damage to Claimant's vehicle by the toter grippers of a garbage truck near 2610 61st Street on November 9, 2020.

Respectfully submitted,



Jeffrey D. Lester
City Attorney