

★ Roll Call Number

14-0244

Agenda Item Number

Ex3

Date February 10, 2014

WHEREAS, John Jacob Twombly has a lawsuit against the City of Des Moines and Senior Police Officer Cody Grimes arising out of his arrest on or about July 23, 2011; and

WHEREAS, it is the opinion of the Legal Department that offering to confess judgment would be in the best interest of the City of Des Moines and Officer Grimes; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That the Legal Department is hereby authorized to offer judgment to be taken in the amount of \$75,000.00, inclusive of all costs, including attorneys' fees and, if the offer is accepted and filed with the Court, the Finance Director is authorized and directed to draw a warrant accordingly under Fund Codes 529410 PD220354.

FORM APPROVED: MOVED BY Moore TO ADOPT.

Gary D. Goudelock, Jr. Assistant City Attorney

SPONSOR: Mayor Cownie

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
VOSS	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		
T. M. Franklin Cownie 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.

Diane Rauh City Clerk