



**Request for City Council Committee Action
From the City Attorney's Office**

Date: July 9, 2013
To: Ways & Means/Budget Committee
Referral to:

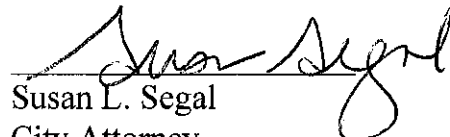
Subject: Allstate Indemnity Co. v. City of Minneapolis

Recommendation: That the City Council approve the settlement of this case by payment of \$16,500.00 payable to Allstate Indemnity Co., from Fund/Org. 06900-1500100-145675 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives: None

Prepared by: Thomas J. Miller Phone: (612) 673-2897

Approved by:


Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact:(Check those that apply)

No financial impact (If checked, go directly to Background/Supporting Information).

Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.

Action provides increased revenue for appropriation increase.

Action requires use of contingency or reserves.

Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.

Other financial impact (Explain): \$6,500.00 from Fund/Org. 06900-1500100-145

Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information:

This matter and subsequent claim arise out of a motor vehicle accident that occurred on December 6, 2011. On that date, Jodie Ashley Bernarde was traveling southbound on Xerxes Avenue at or near the intersection with West 61st Street in Minneapolis, when her vehicle was struck by a City of Minneapolis Public Works truck.

As a result of the crash, claimant Allstate Indemnity Co., paid property damage to their insured, Ms. Bernarde, in the amount of \$8,221.03.

Following a mediation with Allstate, we have reached a tentative settlement of this property damage claim against the City in the amount of \$6,500.00. This proposed settlement has been discussed with the Public Works Department and they are in agreement with the terms. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 12-11662