



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

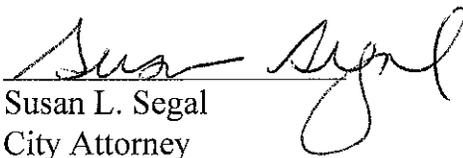
Date: April 3, 2014
To: Ways & Means/Budget Committee and Committee of the Whole

Subject: Jonathon Christoph Voth v. City of Minneapolis
AAA File No.: 56 600 04710 13

Recommendation: That the City Council be advised and approve the payment of the Arbitration Award in this case in the amount of \$13,599.83, payable to Jonathon Christoph Voth and his attorneys, Schwebel, Goetz & Sieben, from Fund/Org. 06900-1500100-145664 and authorize the City Attorney's Office to execute any drafts and documents necessary to effectuate satisfaction of this award.

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): \$13,599.83 from Fund/Org. 06900-1500100-145664
 Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information:

This claim arises out of a pedestrian/motor vehicle accident that occurred on January 25, 2012 at the intersection of 2nd Avenue North and Washington Avenue North in Minneapolis. Mr. Voth was walking north in the crosswalk crossing Washington Avenue North. A City sanitation truck was traveling north on 2nd Avenue North when the driver began a left turn onto Washington Avenue North and made contact with Mr. Voth.

As a result of the accident, Mr. Voth sustained significant injuries and incurred \$10,771.96 in treatment expenses. Mr. Voth did not have No-Fault Automobile Insurance and did not reside with anyone who did. Since he was struck by a "business vehicle", the No-Fault Act states that the City is responsible for his No-Fault coverage.

Following negotiations that did not result in settlement, the matter was heard by an arbitrator on December 2, 2013 at the American Arbitration Association and decided in favor of the claimant, Mr. Voth. This binding arbitration proceeding is mandated for all insurers and self-insurers by statute. Therefore, the City of Minneapolis is now obligated to pay this award in the total amount of \$13,599.83, which amount includes interest and costs awarded in addition to the medical bills claimed.

TJM / 12-03385