



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

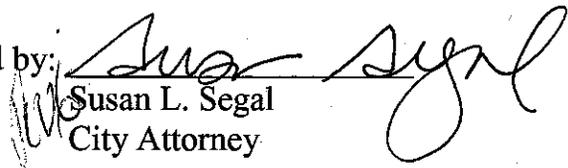
Date: October 15, 2010  
To: Ways & Means/Budget Committee  
Referral to:

Subject: Vera Milyavskaya v. City of Minneapolis  
Claim

**Recommendation:** That the City Council approve the settlement of this case by payment of \$5750.00 payable to Vera Milyavskaya and her attorney, Michael J. Patera, from Fund/Org. 06900-1500100-145400 and authorize the City Attorney's office to execute any documents necessary to effectuate settlement.

**Previous Directives:**

Prepared by: Franklin Reed Phone: (612) 673-3919

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): Payment from Fund/Org. 06900-1500100-145400.

\_\_\_Request provided to department's finance contact when provided to the Committee Coordinator.

**Community Impact:** Other  
**Background/Supporting Information:**

On November 2, 2009, a city dump truck was traveling northbound on Highway 169 near Betty Crocker Drive. The tailgate was not properly secured and debris exited the truck and scattered across the northbound lanes. Claimant was operating a 1999 Honda Civic near the rear of the truck when her car was struck by a piece of concrete. Both Claimant and her passenger were injured. The vehicle Claimant was driving withstood extensive damage to the hood, front end, and undercarriage. The driver of the city vehicle was cited by the State Patrol for "Leaking Road".

Discussions with opposing counsel resulted in a tentative settlement of the property damage claim for the amount of \$5,750.00. This proposed settlement has been discussed with the appropriate authority within the Department of Public Works. The suggested terms of settlement were approved. We believe that the settlement is in the best interests of the City and recommend approval to this Committee.

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