



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

Date: November 09, 2006  
To: Ways & Means/Budget Committee  
Referral to:

**Subject:** LeRoy Harmon v. City of Minneapolis  
Court File No.:

**Recommendation:** That the City Council approve the settlement of this case by payment of \$12,000.00, payable to LeRoy Harmon and his/her attorney, Larry Stern, from Fund/Org. 6900 150 1500 6700 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

**Previous Directives:**

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

Approved by: Ckt (KA *Thompson*)  
Jay M. Heffern  
City Attorney

Presenter in Committee: Jay M. Heffern, City Attorney

**Financial Impact**

- No financial impact
- 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: Payment from Fund/Org. 6900 150 1500 6700

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 August 26, 2005. At that time and place, LeRoy Harmon was westbound on 1-94 exiting the Lowry Tunnel when traffic congestion necessitated a stop of his vehicle. A second vehicle stopped without incident behind

Mr. Harmon. At that time, Minneapolis City employee Tahiru Jaafaru was unable to stop the Public Works Paving Lab pickup truck he was operating and struck the vehicle stopped directly behind Mr. Harmon which was then propelled into the rear of the Harmon vehicle. State Patrol Trooper Dick responded to the scene of the collision and in his report noted illegal/unsafe speed and following too closely on the part of the City employee as the sole cause of the accident.

As a result of the crash, sixty-eight year-old LeRoy Harmon sustained a permanent low back injury and in excess of \$10,000.00 in treatment expenses. His permanency is supported by both his treating chiropractor and neurologist. He now encounters great difficulty sitting for any length of time.

Following extensive negotiations we have reached a tentative settlement of Mr. Harmon's bodily injury claim against the City in the amount of \$12,000.00. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

RD/TJM/ 06L-0044