



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

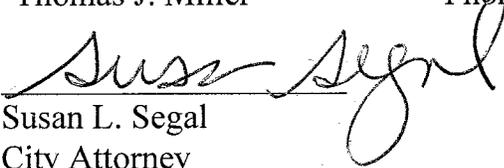
Date: July 24, 2008
To: Ways & Means/Budget Committee
Referral to:

Subject: Shirley Denise James v. City of Minneapolis
Court File No.:

Recommendation: That the City Council approve the settlement of this case by payment of \$5,200.00 payable to Shirley Denise James and her attorneys, Metro Law Offices, Ltd., from Fund/Org. 06900-1500100-145400 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): \$5,200.00 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:

This matter and subsequent claim arise out of a motor vehicle accident that occurred on October 29, 2006. At that time and place, Shirley Denise James was operating a vehicle in the left northbound lane of Park Avenue approaching 7th Street South. A city-owned and employee operated Ford Taurus was also proceeding northbound in the middle lane of Park Avenue when it performed an improper lane change and struck the side of Ms. James' Pontiac Grand Am. There was \$2,675.74 in damage to claimant's vehicle and this was paid by Risk Management. Minneapolis Police responded to the scene of the collision and in the accident report noted "Improper Turn" on the part of the City employee as the sole cause of the accident.

As a result of the crash, forty-four year-old Shirley Denise James sustained injuries to her neck, back, head, shoulders, elbows and wrists which have necessitated in excess of \$5,629.49 in treatment expenses. She now suffers from continuing pain as a result of the accident.

Following extensive negotiations we have reached a tentative settlement of Ms. James's bodily injury claim against the City in the amount of \$5,200.00. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 08-00276