



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

Date: April 28, 2010  
To: Ways & Means/Budget Committee  
Referral to:

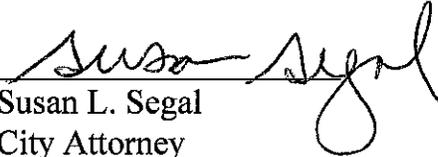
**Subject:** Ronald Guy v. City of Minneapolis  
Court File No.:

**Recommendation:** That the City Council approve the settlement of this case by payment of \$25,000.00 payable to Ronald Guy and his attorney, Paul F. McEllistrem, 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): \$25,000.00 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 November 18, 2008. At that time and place, traffic control officer Ronald Guy was operating a 2002 Toyota RAV traffic control vehicle owned by the City of Minneapolis, northbound on 5<sup>th</sup> Avenue South and Ladyashley Keaton was operating an uninsured 1995 Plymouth Voyager westbound on 7<sup>th</sup> Street South approaching the intersection with 5<sup>th</sup> Avenue South. Ms. Keaton had a red light at the intersection. Ms. Keaton failed to stop and struck Mr. Guy's city vehicle with such force that it vehicle rolled over once, crossed all 3 lanes of traffic, and finally came to rest on its wheels. Minneapolis Police Officer Steven Loeding responded to the scene of the collision and in his report noted "Disregarded Traffic Control Device" by Ms. Keaton as the sole cause of the accident.

As a result of the crash, fifty-two year-old Ronald Guy sustained significant injuries and incurred in excess of \$42,000.00 in treatment expenses. Mr. Guy was also off work for five months. He continues to this date with accident related pain complaints.

Since the at-fault party, Ms. Keaton, was uninsured on the date of this accident, the first tier of coverage is uninsured motorist benefits from the City. Following discussions with his attorney, we have reached a tentative settlement of Mr. Guy's uninsured motorist claim against the City in the amount of \$25,000.00. 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 / 10-07202