

Date..... January 26, 2009

WHEREAS, Bonita J. Harper, a now retired Des Moines Police Department Civil Jailer, has a workers' compensation claim against the City of Des Moines arising out of injuries sustained during an assault by an inmate on April 20, 2007; and

WHEREAS, the claimant incurred this injury within the course and scope of her employment; and

WHEREAS, Ms. Harper was assigned an impairment rating of 9% to the body as a whole, which has previously been paid; and

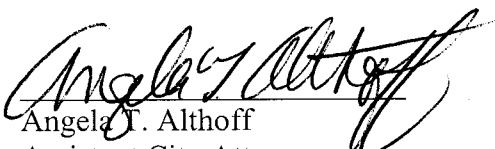
WHEREAS, a tentative settlement of \$90,415.41 for the remaining claims has been reached; and

WHEREAS, it is the opinion of the Legal Department that this payment would be in the best interest in the City of Des Moines; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That payment in the amount of \$90,412.41 be made and is hereby approved to Bonita Harper and her attorney, Ryan Beattie, 4300 Grand Ave., Des Moines, IA 50312, and the Finance Director is authorized and directed to draw a warrant accordingly under Fund Codes 529810 GE001 POL040700.

FORM APPROVED: _____ MOVED BY _____ TO ADOPT


 Angela T. Althoff
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk