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Date June 14, 2010

WHEREAS, Mark Bainter, a Horticultural Technician for the Parks Department, sustained injuries to his low back and neck on August 16, 2007 and to his right shoulder on June 14, 2008; and

WHEREAS, Mr. Bainter incurred this injury within the course and scope of his employment; and

WHEREAS, Mr. Bainter has previously received and been paid for impairment ratings from the treating doctors. The proposed payment is for industrial disability in exchange for a settlement agreement; and

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

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

That payment of \$26,996.43 to Mark Bainter be made and the same is hereby approved and the Finance Director is authorized and directed to draw a warrant accordingly under Fund Codes 529810 GE001 PKS070450.

FORM APPROVED: _____ MOVED BY _____ TO ADOPT

Angela T. Althoff by *GDG*
 Angela T. Althoff
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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