

★ Roll Call Number
09-102

Agenda Item Number
36A

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

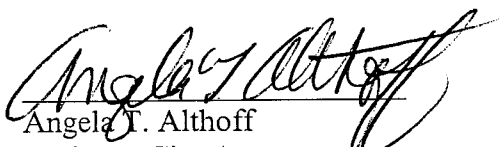
WHEREAS, a tentative settlement of \$90,415.41 for the remaining claims has been reached; and

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,

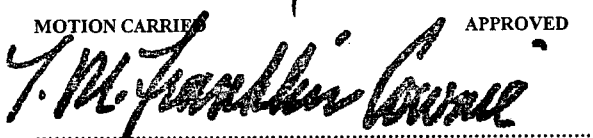
BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

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 Vlassis TO ADOPT


Angela T. Althoff
Assistant City Attorney

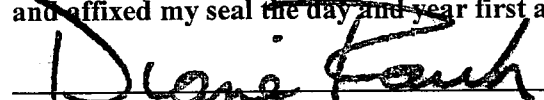
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIES APPROVED

T. M. Franklin
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.


Diane Rauh
City Clerk