

★ Roll Call Number  
09-1327

Agenda Item Number  
23D

Date July 27, 2009

WHEREAS, James Lumley has a workers' compensation claim against the City arising out of a November 17, 2008 work injury; and

WHEREAS, Mr. Lumley incurred these injuries within the course and scope of his employment; and

WHEREAS, Mr. Lumley has been assigned an impairment rating of 9% to the body as a whole; and

WHEREAS, the Legal Department has negotiated a settlement based on that rating; and

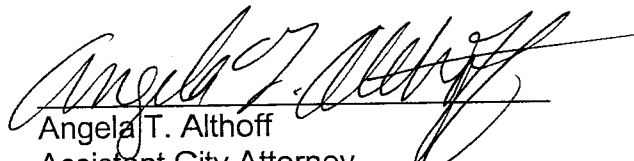
WHEREAS, it is the opinion of the Legal Department that the settlement of the claim would be in the best interest of the City of Des Moines; NOW, THEREFORE,

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

That payment of \$24,322.69 to James Lumley 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 EN000 PWK071001.

FORM APPROVED:

MOVED BY Hensley TO ADOPT

  
Angela T. Althoff  
Assistant City Attorney

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

**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 Fauh City Clerk

MOTION CARRIED APPROVED  
T. M. Franklin  
Mayor