

**Date** September 23, 2013

WHEREAS, Robert Van Cleave, a former Public Works employee, sustained cumulative injuries to his shoulders and neck within the course and scope of his City employment, and

WHEREAS, the Workers' Compensation Commissioner has affirmed on appeal a deputy commissioner's ruling of permanent total disability, and


WHEREAS, the past accrued weekly compensation now needs to be brought current, and

WHEREAS, it is the opinion of the Legal Department that payment of past accrued weekly payments, in lump sum, plus interest and court costs 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, in lump sum, of the past accrued but unpaid weekly compensation awarded by the Workers' Compensation Commissioner, plus interest and court costs, to Robert Van Cleave and his attorney be made and the same is hereby approved and the Finance Director is authorized and directed to draw a warrant accordingly under Org Codes 529810; PW240402.

FORM APPROVED: \_\_\_\_\_ MOVED BY \_\_\_\_\_ TO ADOPT

  
Jeffrey D. Lester  
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