

★ Roll Call Number

Agenda Item Number

40

February 12, 2007

Date

WHEREAS, the City has been presented with a billing for services in the amount of \$11,246.80 rendered by Ahlers & Cooney, P.C., with respect to Series 2006D Stormwater Management Utility Revenue Bonds; and

WHEREAS, the City Legal Department has reviewed such billing and recommends payment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the billing be forwarded to the Finance Department for payment from the appropriate account; and the Finance Director is directed to cause such check to be issued in the amount of \$11,246.80.

Moved by _____ to adopt.

APPROVED AS TO FORM:



Lawrence R. McDowell
Deputy 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

AHLERS & COONEY, P.C.

ATTORNEYS AT LAW
100 COURT AVENUE, SUITE 600
DES MOINES, IOWA 50309-2231
515-243-7611
FEDERAL ID 42-1323559

CITY OF DES MOINES, IOWA
MR. ALLEN MC KINLEY
FINANCE DIRECTOR
400 ROBERT D. RAY DRIVE
DES MOINES, IA 50309

ATTORNEY - WJN
INVOICE # 520738
JANUARY 24, 2007

CLIENT NUMBER - 10387

FOR PROFESSIONAL SERVICES RENDERED
THROUGH JANUARY 19, 2007

RE: STORMWATER BONDS (2006)

MATTER NUMBER - 205

- 9/04/06 WJN .30 REVIEW AND ADVICE TO FINANCE DIRECTOR REGARDING PROPOSED REIMBURSEMENT RESOLUTION FOR STORMWATER PROJECTS
- 9/11/06 WJN 1.20 REVIEW CORRESPONDENCE REGARDING PROPOSED STORMWATER UTILITY REVENUE BONDS; ADVICE TO FINANCE DIRECTOR REGARDING SAME; DRAFT ROLL CALL TO SET DATE OF HEARING ON SAME AND LETTER TO FINANCE DIRECTOR REGARDING SAME
- 9/12/06 WJN .60 DRAFT AND REVISE ROLL CALL TO SET DATE OF PUBLIC HEARING AND LETTER TO FINANCE DIRECTOR REGARDING SAME
- 10/06/06 WJN .20 ADVICE TO FINANCE DIRECTOR REGARDING ORDINANCE PROVISION TERMINATING CAPITAL CHARGE PORTION OF STORMWATER UTILITY FEE
- 10/27/06 WJN .30 REVIEW CORRESPONDENCE FROM MR. MCKINLEY AND FINANCIAL ADVISORS
- 10/30/06 WJN .80 ADVICE TO FINANCE DIRECTOR REGARDING ALLOCATION OF UNSPENT PROCEEDS; DRAFT ROLL CALL TO DIRECT ADVERTISEMENT OF BONDS FOR SALE AND LETTER TO FINANCE DIRECTOR REGARDING SAME
- 11/02/06 WJN 2.20 ADVICE TO FINANCE ADVISOR REGARDING PROJECT DESCRIPTIONS; DRAFT DISCLOSURE REGARDING FRANCHISE FEE LITIGATION FOR OFFICIAL STATEMENT; REVISE ROLL CALL TO APPROVE NOTICE OF SALE AND ELECTRONIC BIDDING PROCEDURES; CONFER WITH CITY

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11/03/06 WJN .60 ATTORNEYS REGARDING PROPOSED DISCLOSURE
CONFERENCES WITH FINANCE ADVISOR AND MR.
MCKINLEY; REVISE LETTER TO MR. MCKINLEY REGARDING
ROLL CALL TO SET SALE DATE

11/09/06 WJN 1.20 REVIEW DRAFT OFFICIAL STATEMENT; BEGIN DRAFTING
OF ROLL CALL AUTHORIZING ISSUANCE OF 2006D BONDS

11/10/06 WJN 1.60 DRAFT ROLL CALL AUTHORIZING ISSUANCE; REVISE
LETTER TO FINANCE DIRECTOR REGARDING ROLL CALL TO
SET DATE OF SALE; ADVICE TO FINANCIAL ADVISOR
REGARDING POS COMMENTS

11/16/06 WJN .70 DRAFT ROLL CALL TO DIRECT SALE OF BONDS AND
LETTER TO FINANCE DIRECTOR REGARDING SAME

11/17/06 WJN .30 ATTENTION TO FORM OF LEGAL OPINION; ADVICE TO
FINANCIAL ADVISOR REGARDING SAME

11/20/06 WJN .50 PREPARE FORM OF DISCLOSURE CERTIFICATE; TRANSMIT
SAME TO FINANCIAL ADVISOR

11/21/06 WJN .30 ADVICE TO FINANCIAL ADVISOR REGARDING DISCLOSURE
CERTIFICATE; ATTENTION TO NOTICE OF SALE

11/29/06 WJN 2.30 CONFER WITH BIDDER REGARDING STATE TAX EXEMPTION;
TO CITY HALL FOR RECEIPT OF BIDS; REVISE
AUTHORIZING RESOLUTION; DRAFT LETTER TO FINANCE
DIRECTOR REGARDING SAME; DRAFT FORM OF TAX
EXEMPTION CERTIFICATE

12/01/06 WJN 2.60 DRAFT CLOSING CERTIFICATES AND LETTERS TO FINANCE
DIRECTOR AND BOND PURCHASER; PREPARE ORIGINAL
BONDS; ATTENTION TO BOND INSURANCE COMMITMENT;
REVIEW FINAL OFFICIAL STATEMENT DRAFT; PROVIDE
COMMENTS ON SAME TO FINANCIAL ADVISOR

12/08/06 WJN 1.60 CONFER WITH FINANCE DIRECTOR; DRAFT ADVICE TO HIM
REGARDING DEFINITION OF NET REVENUES; TRANSMIT
BONDS TO BOND INSURER FOR REVIEW; DRAFT LETTER TO
DTC REGARDING ORIGINAL BONDS; CONFER WITH BOND
INSURER

12/11/06 WJN .30 ATTENTION TO REVISED BONDS AND CONSENT OF BOND
INSURER REGARDING SAME

12/13/06 WJN .20 REVIEW VERIFICATION CERTIFICATE OF PURCHASER AND
CLOSING LETTER

12/13/06 KLB .50 CALCULATE DEBT SERVICE SCHEDULE; COMPLETE 8038G
AND TAX CERTIFICATE

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| 12/14/06 WJN | .30 | ATTENTION TO COMPLETION OF FORM 8038-G |
| 12/18/06 WJN | 1.80 | REVIEW AUDITOR'S PARITY CERTIFICATE; CONFER WITH DTC REGARDING CUSIP NUMBERS ON BONDS; CONFER WITH MR. MCKINLEY AND FINANCIAL ADVISOR; DRAFT LETTER TO DTC REGARDING CORRECT CUSIP NUMBERS; TRANSMIT BOND OPINION AND RELIANCE LETTER TO BOND INSURER; REVIEW CLOSING DOCUMENTS FROM BOND INSURER |
| 12/19/06 WJN | .90 | CONFER WITH BOND INSURER REGARDING RELEASE OF POLICY; CONFER WITH FINANCIAL ADVISOR; ATTENTION TO CLOSING OF ISSUE AND RELEASE OF BONDS AT DTC; ATTENTION TO FILING OF FORM 8038-G; DRAFT LETTERS REGARDING CLOSING DOCUMENTS TO FINANCE DIRECTOR, PURCHASER AND BOND INSURER |
| 12/20/06 WJN | .30 | REVISE LETTERS REGARDING CLOSING DOCUMENTS |
| 1/15/07 WJN | .50 | DRAFT LETTER TO FINANCE DIRECTOR REGARDING AFFIDAVIT OF MAILING; ATTENTION TO CLOSING FILE |

PROFESSIONAL SERVICES 10,778.50

SUMMARY OF PROFESSIONAL SERVICES

| | HOURS |
|-----|-------|
| WJN | 21.60 |
| KLB | .50 |
| | 22.10 |

COSTS ADVANCED

40

CITY OF DES MOINES, IOWA
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| | |
|-------------------------|--------|
| IN HOUSE BOND PRINTING | 320.00 |
| FEDERAL EXPRESS CHARGES | 49.25 |
| TELECOPIES | 1.00 |
| TOLL CALLS | 2.30 |
| PHOTOCOPIES | 85.80 |
| POSTAGE | 9.95 |

TOTAL COSTS ADVANCED 468.30

INVOICE TOTAL 11,246.80