

Date April 21, 2008

**RESOLUTION APPROVING PAYMENT OF BILLING FROM
THE AHLERS & COONEY LAW FIRM RELATING TO
ENVIRONMENTAL LEGAL SERVICES FOR THE SE CONNECTOR PROJECT**

WHEREAS, on March 7, 2005 by Roll Call 05-530, the City Council of the City of Des Moines entered into a Department of Transportation Agreement for the SE Connector; and

WHEREAS, on March 7, 2005 by Roll Call 05-531, the City Council approved the Professional Services Agreement with Kirkham Michael for design services for the Southeast Connector; and

WHEREAS, on April 25, 2005 by Roll Call 05-969, the Council authorized proceeding with acquisition of necessary right-of-way for a portion of the SE Connector Project from SW 2nd to SE 14th Street; and

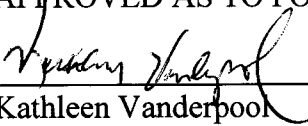
WHEREAS, on July 9, 2007 by Roll Call 07-1288, the Council authorized retention of Jane McAllister of the Ahlers & Cooney Law Firm to provide environmental legal services as needed on the SE Connector Project;

WHEREAS, the City of Des Moines has been presented with a billing for legal services rendered by the law firm of Ahlers & Cooney, P.C., for legal services concerning environmental issues relating to the SE Connector Project the City Legal Department has reviewed such billing in the amount of \$2,743.58 and has verified it to be correct 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, and the Finance Director be and is hereby authorized and directed to issue a check in the amount of \$2,743.58 to the law firm of Ahlers & Cooney, P.C.

APPROVED AS TO FORM:

Moved by _____ to adopt.


Kathleen Vanderpool
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
ALLEN MC KINLEY, FINANCE DIR./TREAS.
CITY HALL, 400 ROBERT D. RAY DRIVE
DES MOINES, IA 50309

ATTORNEY - JBM
INVOICE # 547155
MARCH 24, 2008

CLIENT NUMBER - 10387

FOR PROFESSIONAL SERVICES RENDERED
THROUGH MARCH 19, 2008

RE: ENVIRONMENTAL LAW ISSUES RE SOUTHEAST
CONNECTOR RIGHT-OF-WAY

MATTER NUMBER - 213

- 1/22/08 JBM .60 REVIEW CHANGES TO OFFER; E-MAIL FROM CLIENT RE COVENANT; E-MAIL FROM CONSULTANT RE TERMS OF COVENANT
- 1/22/08 JBM 1.00 CONFERENCE CALL
- 1/23/08 JBM .30 E-MAIL FROM CLIENT RE MEETING; E-MAIL WITH LETTER FROM DNR
- 1/23/08 JBM 1.00 MEETING WITH CLIENT AND CONSULTANT ON COVENANT ISSUES
- 1/25/08 JBM .60 E-MAIL FROM MS. VANDERPOOL; RESEARCH ON SIGNATORY TO S.E. CONNECTOR
- 1/25/08 JBM 1.20 MEETING AT DNR AND FOLLOW UP
- 1/29/08 JBM .20 E-MAIL FROM CLIENT RE CHANGE IN OWNERSHIP; TELEPHONE CALL FROM MR. WORNSON
- 1/30/08 JBM .30 ATTENTION TO COVENANT ISSUES
- 1/31/08 JBM .20 E-MAILS TO CLIENT RE CHANGES TO DOCUMENTS
- 1/31/08 JBM .30 RETURN TELEPHONE CALL TO MR. WORNSON; E-MAIL TO MS. VANDERPOOL AND MS. FRANK
- 2/01/08 JBM .60 CALL WITH CLIENT RE OFFER; REVISE OFFER WORDING; TELEPHONE CALL TO MS. FRANK; TELEPHONE CALL TO MS. VANDERPOOL
- 2/04/08 JBM .20 CONFERENCE CALL WITH CLIENT RE ENVIRONMENTAL LANGUAGE ON OFFER
- 2/04/08 JBM .30 REVISE OFFER LANGUAGE; E-MAIL TO MS. VANDERPOOL AND MS. FRANK
- 2/04/08 JBM .20 E-MAILS FROM MS. FRANK RE REVISIONS TO MIDAMERICAN OFFER AND MEETING WITH DNR
- 2/07/08 JBM .10 RESPOND TO MS. FRANK RE SENDING DOCUMENTS TO MIDAMERICAN
- 2/07/08 JBM .20 E-MAILS RE MEETING SCHEDULES; E-MAIL TO MS. FRANK

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RE MEETING WITH DNR AND MIDAMERICAN; SCHEDULE
MEETING WITH DNR

2/11/08 JBM .40 E-MAILS REGARDING RELEASE OF DOCUMENTS; PREPARE
FOR MEETING WITH DNR

2/12/08 JBM .20 E-MAIL TO CLIENT RE MEETING AGENDA; DOCUMENTS FOR
MEETING

2/12/08 JBM 2.20 PREPARE FOR MEETING WITH DNR ON COVENANT; MEETING
WITH DNR AND MIDAMERICAN RE ENVIRONMENTAL
COVENANT; FOLLOW UP

2/12/08 JBM .10 E-MAILS TO MS. FRANK AND MS. VANDERPOOL RE NEXT
MEETING WITH DNR

2/13/08 JBM 2.80 TELEPHONE CALL TO MS. VANDERPOOL AND OTHERS RE
TECHNICAL ISSUES; MEETING WITH MIDAMERICAN AND
CITY

2/14/08 JBM .30 REVIEW MAPS FROM CLIENT; E-MAIL FROM MS. FRANK
WITH NEW OFFER LANGUAGE; REVIEW OF LANGUAGE
OPTIONS; E-MAIL MS. FRANK

2/14/08 JBM .40 TELEPHONE CALL FROM MS. VANDERPOOL AND MS. FRANK

2/15/08 JBM .50 E-MAIL FROM CLIENT RE ACCESS TO MIDAMERICAN SITE;
E-MAIL TO MS. FRANK AND MS. VANDERPOOL RE
MIDAMERICAN STRATEGY; E-MAIL FROM MS. VANDERPOOL
RE GEOPROBE SAMPLING; REVIEW MIDAMERICAN
PROPOSAL; COMMENT TO CLIENT

2/15/08 JBM .40 CONFERENCE CALL WITH CLIENT RE MIDAMERICAN OFFER;
RECEIVE AND REVIEW REVISED OFFER LANGUAGE;
COMMENT TO CLIENT

2/15/08 JBM .30 REVISE LETTER TO MR. POSE AND MS. ROY; COMMENTS
TO CLIENT

2/18/08 JBM .20 E-MAILS FROM CLIENT AND MIDAMERICAN RE TESTING OF
SITE; LETTER FROM MR. POSE RE TESTING

2/20/08 JBM .20 TELEPHONE CALL FROM MS. VANDERPOOL; E-MAIL WITH
ADDITIONAL INFORMATION ON FIELD WORK

2/20/08 JBM 1.50 E-MAIL FROM MS. FRANK RE RESEARCH ON
MIDAMERICAN'S CONTINUING LIABILITY; RESPONSE;
RESEARCH

2/21/08 JBM 1.40 LIABILITY MEMO FOR CLIENT; FORWARD TO CLIENT;
E-MAILS RE SAME

2/21/08 JBM .10 TELEPHONE CALL FROM CLIENT RE MIDAMERICAN
PROPOSAL

2/22/08 JBM .10 E-MAIL FROM AND TO MS. VANDERPOOL

2/25/08 JBM .40 E-MAILS FROM MS. VANDERPOOL AND MS. FRANK RE
SETTLEMENT WITH MIDAMERICAN; RECEIVE AND REVIEW
DRAFTS

2/25/08 JBM .30 TELEPHONE CALL TO MS. VANDERPOOL AND MS. FRANK RE
MIDAMERICAN OFFER

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2/26/08 JBM .30 REVIEW REVISED OFFER; E-MAIL TO MS. FRANK
2/26/08 JBM .10 RETURN TELEPHONE CALL TO MS. VANDERPOOL AND MS.
FRANK

PROFESSIONAL SERVICES 2,730.00

SUMMARY OF PROFESSIONAL SERVICES

	HOURS
JBM	19.50
	19.50

COSTS ADVANCED

1/25/08	COMPUTER ASSIST RESEARCH	13.58
TOTAL COSTS ADVANCED		13.58

INVOICE TOTAL	2,743.58
PRIOR BALANCE	1,301.18
BALANCE DUE	4,044.76