

August 23, 2010

Date

**RESOLUTION AUTHORIZING RETENTION OF HALL & ASSOCIATES FOR REPRESENTATION IN THE MATTER ENTITLED IOWA LEAGUE OF CITIES V. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**WHEREAS**, the Legal Department recommends that outside counsel be retained for representation in the matter entitled Iowa League of Cities v. United States Environmental Protection Agency.

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

1. That it hereby authorizes retention of John Hall & Associates for representation in the action entitled Iowa League of Cities v. United States Environmental Protection Agency at hourly rates for the lawyers and staff as follows:

|                 |          |
|-----------------|----------|
| John Hall       | \$325.00 |
| Gary Cohen      | \$275.00 |
| Bill Hall       | \$225.00 |
| Philip Rosenman | \$165.00 |
| Legal Assistant | \$ 80.00 |

not to exceed \$25,000, including out of pocket expenses.

2. That it authorizes and directs the City Attorney to sign a Joint Litigation Agreement, an engagement letter and or other agreement as is necessary to secure such joint representation with John Hall & Associates and authorizes the City Attorney and Finance Department to make payments in accordance with any agreement or engagement letter.

APPROVED AS TO FORM:

Moved by \_\_\_\_\_ to adopt.

*Kathleen Vanderpool*

Kathleen Vanderpool, Deputy City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         |      |      |      |        |
| COLEMAN        |      |      |      |        |
| GRIESS         |      |      |      |        |
| HENSLEY        |      |      |      |        |
| MAHAFFEY       |      |      |      |        |
| MEYER          |      |      |      |        |
| MOORE          |      |      |      |        |
| TOTAL          |      |      |      |        |

**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.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk