

Date..... October 23, 2006

**APPROVING PAYMENT OF BILLING FROM HALL & ASSOCIATES
FOR SERVICES RELATED TO THE COMBINED SEWER SYSTEM
AND COMBINED SEWER OVERFLOWS RELATED TO THE NPDES PERMIT**

WHEREAS, on April 10, 2006, pursuant to Roll Call No. 06-651, this City Council authorized the retention of Hall & Associates to provide consultation and representation services regarding an Iowa Department of Natural Resources (IDNR) violation, the negotiation of a consent decree for the implementation of a Long Term Control Plan for the combined sewer system and combined sewer overflows required by the WRF National Pollution Discharge Elimination System (NPDES) Permit,

WHEREAS, the fees for such services will be allocated between the WRA and the City, as appropriate;

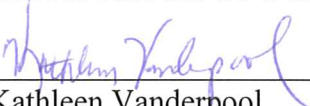
WHEREAS, Hall & Associates has submitted a billing dated September 18, 2006, in the amount of \$2,906.24;

WHEREAS, the City Legal Department has audited said billing and has verified the bill 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 that the Finance Director be and is hereby authorized and directed to issue a check in the amount of \$2,906.24 to Hall & Associates.

Moved by _____ to adopt.

APPROVED AS TO FORM:



Kathleen Vanderpool
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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

Hall & Associates
1101 Fifteenth Street, N.W.
Suite 203
Washington, DC 20005

Invoice submitted to:
City of Des Moines
Public Works Department
Sewer Enterprise Division
3000 Vandalia Road
Des Moines IA 50317-1346
William Stowe, Public Works Director

September 18, 2006
In Reference To: Consent Decree Negotiation / LTCP

Invoice #5343

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
8/9/2006	GBC Review email and correspondence.	0.25 250.00/hr	62.50
	JCH Review email from client re discussion with state.	0.50 250.00/hr	125.00
8/15/2006	JCH Review email from B. Stowe on list of alleged violations for CSO program implementation.	0.25 250.00/hr	62.50
8/16/2006	JCH Reply to local counsel re tolling agreement; Review issues listing.	0.50 250.00/hr	125.00
8/17/2006	JCH Review tolling agreement and reply to client on data needs.	0.50 250.00/hr	125.00
8/21/2006	GBC Review emails; Review tolling agreement.	0.50 250.00/hr	125.00
8/23/2006	JCH Review information from B. Stowe; Discuss tolling agreement with G. Cohen.	0.75 250.00/hr	187.50
	GBC Telephone call to B. Stowe; Review city comments re CSO allegations.	0.75 250.00/hr	187.50
8/28/2006	GBC Review documents in preparation for conference call; Telephone conference with B. Stowe and K. Vanderpool re state enforcement action, documents and strategy.	1.50 250.00/hr	375.00

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City of Des Moines

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	<u>Hrs/Rate</u>	<u>Amount</u>
8/29/2006 GBC Meet with A. Ritter re research on state statute of limitations; Review case; Review file; Telephone call to D. Sheridan (AG's office).	1.50 250.00/hr	375.00
AR Review case law and regulations for statute of limitations for CWA violations under Iowa law.	4.50 150.00/hr	675.00
8/30/2006 GBC Review inspection report and file; Telephone conference with D. Sheridan re tolling agreement; Email B. Stowe re authorization to sign and review reply email; Modify tolling agreement and finalize same.	1.50 250.00/hr	375.00
8/31/2006 JCH Review emails on tolling agreement resolution.	0.25 250.00/hr	62.50
For professional services rendered	13.25	\$2,862.50
Additional Charges :		
8/31/2006 Photocopies/Document Processing - August 2006.		13.20
Local/Long Distance Telephone Charges - August 2006.		30.54
Total costs		\$43.74
Total amount of this bill		\$2,906.24
Previous balance		\$12,378.49
8/11/2006 Payment of invoice #5283 - thank you		(\$7,926.77)
8/16/2006 Payment of invoice #5294 - thank you		(\$4,451.72)
Total payments and adjustments		(\$12,378.49)
Balance due		<u>\$2,906.24</u>

Approved
 J
 9/25/06
 SMO WRA
 SMO CDM
 Jan 1st