

December 17, 2007
Date

RESOLUTION APPROVING PAYMENT OF ATTORNEY FEES

WHEREAS, the City of Des Moines is party to a Chapter 28E Agreement creating and establishing the Central Iowa Employment and Training Consortium (CIETC) for purposes of job creation, training and placement within an eight county central Iowa region; and

WHEREAS, in April, 2006, the law firm of Davis, Brown, Koehn, Shors and Roberts, P.C. (Davis Brown) was engaged by the CIETC Board to provide legal services related to various matters; and

WHEREAS, the Davis Brown Law Firm has provided such services and advanced costs to CIETC, to the benefit of the member governments, including the City of Des Moines; and

WHEREAS, as it continues to windup its affairs, CIETC does not possess sufficient assets to make payment for these legal services; and

WHEREAS, the member governments, including the City of Des Moines, and the insurers for some of the member governments, have made payment to the Davis Brown Law Firm for these legal services in proportionate shares consistent with the underlying Chapter 28E Agreement; and

WHEREAS, under the formula that has been used by the other counties and is consistent with the underlying Chapter 28E Agreement, the City of Des Moines' proportionate share of outstanding legal fees and services as of the November 26, 2007 billing was \$71,815.28, of which \$31,425.33 is payable to the Davis Brown Law Firm and \$40,389.95 is payable to CIETC; and

NOW, THEREFORE, IT IS HEREBY 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

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Director be and is hereby authorized and directed to issue a check in the amount of \$31,425.33 to Davis, Brown, Koehn, Shors & Roberts, P.C. and \$40,389.95 to CIETC.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Bruce E. Bergman
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