

Date December 5, 2016

**RESOLUTION APPROVING TRANSFER OF REPRESENTATION OF THE CITY ON MATTERS RELATED TO CONSTRUCTION DISPUTES**

WHEREAS, on December 8, 2014 by Roll Call No. 14-1855, the City Council approved the retention of Martin Kenworthy and Duncan, Green, Brown & Langeness to represent the City on matters related to construction disputes; and

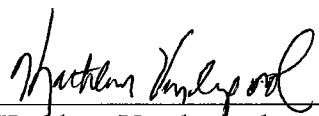
WHEREAS, Mr. Kenworthy is now with Kenworthy Law, P.C. effective November 18, 2016.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DES MOINES, IOWA:

1. That it hereby authorizes the representation of the City on matters related to construction disputes to be transferred from the Duncan, Green, Brown & Langeness law firm to Martin Kenworthy of Kenworthy Law, P.C.
2. That the employment of Martin Kenworthy of Kenworthy Law, P.C, and is hereby authorized effective November 18, 2016 at a rate of \$160.00 an hour, associates at a rate of \$160.00 an hour, paralegals at a rate of \$100.00 per hour and other staff as necessary, including legal research fees and out-of-pocket expenses and further authorizes the City Attorney to sign a Letter of Engagement as necessary.
3. That the Council authorizes that all City files related to construction disputes be transferred from Duncan, Green, Brown & Langeness to Martin Kenworthy and Kenworthy Law, P.C.

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

APPROVED AS TO FORM:

  
 Kathleen Vanderpool  
 Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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