

Date February 25, 2019

AUTHORIZING THE MAYOR TO EXECUTE A LIMITED WAIVER OF CONFLICT OF INTEREST IN CERTAIN MATTERS FOR THE CARNEY AND APPLEBY LAW FIRM

WHEREAS, the City and Carney & Appleby, P.L.C. ("Carney") entered into an agreement that Carney would provide representation and lobbying efforts on certain legislative matters as directed by the City; and

WHEREAS, Carney has represented the Iowa State Bar Association ("ISBA") for more than 40 years and both Carney and the City understood and realized at the outset of the representation that as a multi-client lobbying firm the possibility of conflicts between clients existed and one now exists with respect to SSB1106 and similar related bills relating to tort immunity; and

WHEREAS, the City Council is willing to waive the conflict in a limited manner, but only for so long as the bill or any similar bill has not yet been in position to move to the floor of either chamber and finds the City Manager should be authorized to revoke this limited waiver of conflict should any tort immunity bill beneficial to the City be in such position.

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

That the City Council acknowledges the limited waiver and consent to any conflict, express or implied, regarding the representation of ISBA on SSB1106 or a successor or related House bill which is not yet in position to move to the floor of either chamber and hereby authorizes the Mayor to execute a conflict and waiver form evidencing same.

BE IT FURTHER RESOLVED that the City Council authorizes and directs the City Manager to revoke this limited waiver of conflict should any tort immunity bill beneficial to the City be in position to move to the floor of either chamber.

APPROVED AS TO FORM:

Moved by _____ to adopt.


Jeffrey D. Lester, City Attorney

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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

City Clerk