

Date November 23, 2009

APPROVING EMPLOYMENT OF MARK MCORMICK AND THE BELIN MCCORMICK LAW FIRM AND PAYMENT OF BILLING

WHEREAS, pursuant to Section 2-708 of the Des Moines Municipal Code, the City of Des Moines by the City Manager entered into an agreement for Mark McCormick and the law firm of Belin McCormick to consult with and perform legal services for the City of Des Moines, Iowa, in connection with Kragnes v. City of Des Moines, Iowa, and

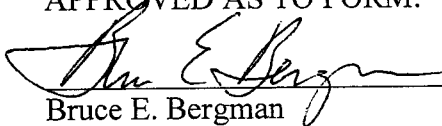
WHEREAS, a billing dated October 31, 2009, in the total amount of \$22,193.50 has been received from Mark McCormick and the Belin McCormick law firm, and the billing has been reviewed and verified to be correct by the City Attorney, who recommends payment of the billing, and further recommends the retention of Mark McCormick and the Belin McCormick to perform additional consulting and legal services for the City of Des Moines, Iowa, in connection with Kragnes v. City of Des Moines, Iowa

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

1. That Mark McCormick and the law firm of Belin McCormick be employed to consult with and perform legal services for the City of Des Moines in connection with Kragnes v. City of Des Moines, Iowa, at an hourly rate not to exceed \$300, plus out of pocket expenses, to be billed on a periodic basis.
2. That payment of \$22,193.50 for legal services provided by Mark McCormick and the law firm of Belin McCormick is hereby approved, and the Finance Director is authorized to draw a warrant for payment accordingly.

Moved by Coleman to adopt.

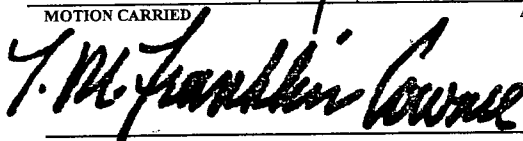
APPROVED AS TO FORM:


 Bruce E. Bergman
 City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| HENSLEY | ✓ | | | |
| KIERNAN | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MEYER | ✓ | | | |
| VLASSIS | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED

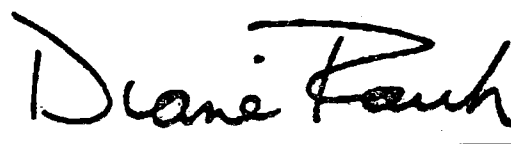
APPROVED


 T. M. Franklin
 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.


 Diane Rauh
 City Clerk