



Roll Call Number

13-0722

Agenda Item Number

28

May 6, 2013

Date

HIRING OF OUTSIDE COUNSEL

WHEREAS, the Iowa Court of Appeals recently handed down its decision in the case of Team Two, Inc. v. City of Des Moines; and

WHEREAS, the decision reversed the jury verdict of lump sum future damages, but found that the City would owe periodic future payments to Team Two based on the City's collection of former Team Two accounts; and

WHEREAS, this complicated financial case will be returned to the District Court in the near future for determination of a process to satisfy the Court of Appeals' decision; and

WHEREAS, former Assistant City Attorney Steven C. Lussier, now retired, handled the case and is in the best position to bring the case to its conclusion; NOW, THEREFORE,

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

That Steven C. Lussier be and is hereby hired by the City of Des Moines as outside counsel, at the rate of \$100.00 per hour, to conclude the litigation of Team Two, Inc. v. City of Des Moines, under the direction of the City Attorney.

FORM APPROVED:

MOVED BY

Mahaffey

TO ADOPT.

Mark Godwin

Mark Godwin
Deputy 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	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin
Mayor

Diane Rauh

City Clerk