



Roll Call Number

16-2068

Agenda Item Number

27

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 Hensley to adopt.

APPROVED AS TO FORM:

Kathleen Vanderpool
Deputy City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and 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.

Diane Rauh
City Clerk

T. M. Franklin
Mayor