

★ Roll Call Number  
18-0991

Agenda Item Number  
35

Date June 11, 2018

**APPROVING PAYMENT OF BILLING FROM KENWORTHY LAW, P.C.**

WHEREAS, on December 8, 2014, by Roll Call No. 14-1853, the City Council of the City of Des Moines approved retention of Martin Kenworthy and the law firm of 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.; and

WHEREAS, on December 5, 2016, by Roll Call No. 16-2068, the City Council of the City of Des Moines approved transfer of representation of the City on matters related to construction disputes to be transferred from Duncan, Green, Brown & Langeness to Martin Kenworthy of Kenworthy Law, P.C. effective November 18, 2016; and

WHEREAS, on December 19, 2016, by Roll Call No. 16-2157, the City Council approved the corrected hourly rate of Mr. Kenworthy; and

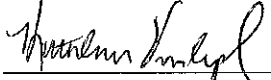
WHEREAS, Kenworthy Law, P.C. has submitted a billing covering the time period up to and including May 31, 2018 in the amount of \$10,642.89; and

WHEREAS, the Legal Department has reviewed the billing and recommends payment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that payment of \$10,642.89 to Kenworthy Law, P.C. is hereby approved and further that the City Attorney is authorized and directed to have paid any additional fees and expenses to conclude the litigation, including without limitation, expert witness fees and expenses.

APPROVED AS TO FORM:

Moved by Gatto to adopt.

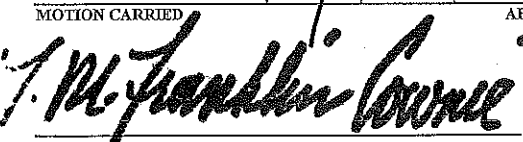
  
 Kathleen Vanderpool  
 Deputy City Attorney

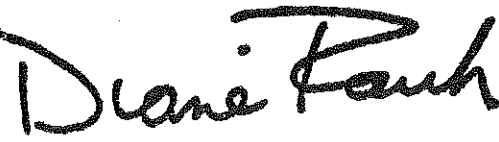
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

**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 7 APPROVED  
  
 T. M. Franklin  
 Mayor

  
 Diane Rauh  
 City Clerk