



Roll Call Number

22-1426

Agenda Item Number

460

Date Sept. 12, 2022

RETENTION OF OUTSIDE COUNSEL

WHEREAS, Des Moines Police Officers Peter Wilson and Jeffrey George are involved in a lawsuit in which the City of Des Moines is not a party, but in which there are issues to be litigated arising out of the officers' official duties; and

WHEREAS, the City is obligated under Iowa Code Section 670.8 to defend its officers and employees; and

WHEREAS, the City's Legal Department is unable to provide representation in this matter and it would therefore be in the best interest of the City to obtain outside counsel to represent Officers Wilson and George; and

WHEREAS, Attorneys Greg R. Brown and Joseph Gamble of Duncan, Green, Brown & Langeness, P.C. have agreed to represent the officers only as to the pending counterclaims when Iowa Code Section 670.8 applies in the subject lawsuit.

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

That Greg R. Brown and Joseph Gamble of the law firm Duncan, Green, Brown and Langeness, P.C., 400 Locust Street, Suite 380, Des Moines, Iowa 50309, be and are retained by the City of Des Moines for the purpose of representing Des Moines Police Officers Peter Wilson and Jeffrey George in defense of counterclaims when Iowa Code Section 670.8 applies in the subject lawsuit. Such retention is at the rate of \$250.00 per hour plus reasonable expenses. The attorneys will provide detailed billing for such services and payment for such services may be periodic with reports to the City Council of such payments on a quarterly basis.

Moved by Gatto to adopt.

Second by Boesen

Approved as to Form:

Carol J. Moser

Carol J. Moser, Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

J. M. Traub, Mayor

Laura Baumgartner, City Clerk