



Roll Call Number

23-1337

Agenda Item Number

47

Date October 2, 2023

WAIVER AND CONSENT TO CONFLICT OF INTEREST IN REPRESENTATION BY AHLERS & COONEY, P.C. OF THE DES MOINES AIRPORT AUTHORITY IN NEGOTIATING AN AGREEMENT FOR THE CITY TO PROVIDE SERVICES TO THE AUTHORITY

WHEREAS, Ahlers & Cooney, P.C. represents Des Moines Airport Authority (the "Authority") as general counsel and the City of Des Moines in various matters, including economic development matters, real estate matters, and as bond counsel; and

WHEREAS, the Authority and the City are negotiating terms for a services agreement (the "Agreement") for the Authority to compensate the City for services and which would be mutually beneficial to both parties; and

WHEREAS, the Authority would like to use Ahlers & Cooney, P.C. for representation in the negotiation and drafting of the proposed agreement which requires a consent and waiver as to the conflict from the Authority and the City; and

WHEREAS, the City's legal representation in said matters will be provided by an Assistant City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the Mayor is hereby authorized and directed to execute the waiver and consent to an actual, potential or perceived conflict of interest associated with Ahlers & Cooney, P.C.'s representation of the Authority in the above-described matter.
2. That the City Attorney is authorized to withdraw and terminate such waiver and consent for any reason, in his sole discretion, should he determine that termination of the waiver and consent is appropriate.

Moved by Gatto to adopt.

Second by Boesen.

Approved as to form:

/s Megan Norberg
Megan Norberg, Assistant City Attorney



Roll Call Number

23-1337

Agenda Item Number

47

Date October 2, 2023

COUNCIL ACTION	YEAS	NAYS	Pass	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			
MOTION CARRIED	APPROVED			
<i>J. M. Frankhu Cowne</i> Mayor				

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.

Laura Baumgartner

City Clerk