



Roll Call Number

25-1357

Agenda Item Number

82

Date September 29, 2025

**RESOLUTION REGARDING AMENDMENT TO SECTION 2-364 OF THE MUNICIPAL CODE OF THE CITY OF DES MOINES, IOWA AND AUTHORIZING CITY MANAGER TO RETAIN COUNSEL**

**WHEREAS**, on June 5, 2000, by Roll Call No. 00-1680, the City Council adopted the Municipal Code of the City of Des Moines, 2000; and

**WHEREAS**, the Municipal Code prohibits retaining outside counsel unless the City Attorney certifies that the services could not be performed by officers of the Legal Department; and

**WHEREAS**, the City Council requested the Legal Department prepare an amendment to the Municipal Code of the City of Des Moines, Iowa allowing retention of outside counsel for certain limited circumstances without certifications presently required by the City Attorney under the Des Moines Municipal Code; and

**WHEREAS**, the Legal Department has prepared an amendment to Section 2-364 of the Municipal Code of the City of Des Moines, Iowa to allow retention of outside counsel without certification by the City Attorney if the City Manager is directed by City Council; and

**WHEREAS**, the City Council wishes to authorize the use of outside counsel on certain downtown development projects as selected by the City Manager at an appropriate negotiated rate.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, that upon Council's adoption of an ordinance amendment to allow for the City Council to direct the City Manager to retain outside counsel without required certification of the City Attorney, the City Manager shall be authorized to negotiate a rate with outside counsel to represent the City in up to three downtown development projects as selected by the City Manager or his designee.

Moved by *Gatto* to adopt.

Second by *Mandelbaum*.



Roll Call Number

25-1357

Agenda Item Number

82

Date September 29, 2025

APPROVED AS TO FORM:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
SIMONSON	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED



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.



City Clerk