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Date August 7, 2006

APPROVING PAYMENT OF BILLING FROM HALL & ASSOCIATES
FOR SERVICES RELATED TO THE COMBINED SEWER SYSTEM
AND COMBINED SEWER OVERFLOWS RELATED TO THE NPDES PERMIT

WHEREAS, on April 10, 2006, pursuant to Roll Call No. 06-651, this City Council authorized the retention of Hall & Associates to provide consultation and representation services regarding an Iowa Department of Natural Resources (IDNR) violation, the negotiation of a consent decree for the implementation of a Long Term Control Plan for the combined sewer system and combined sewer overflows required by the WRF National Pollution Discharge Elimination System (NPDES) Permit,

WHEREAS, the fees for such services will be allocated between the WRA and the City, as appropriate;


WHEREAS, Hall & Associates has submitted a billing dated July 18, 2006, in the amount of \$4,451.72;

WHEREAS, the City Legal Department has audited said billing and has verified the bill to be correct and recommends payment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the billing be forwarded to the Finance Department, and that the Finance Director be and is hereby authorized and directed to issue a check in the amount of \$4,451.72 to Hall & Associates.

Moved by _____ to adopt.

APPROVED AS TO FORM:


Kathleen Vanderpool
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk

24

Hall & Associates
1101 Fifteenth Street, N.W.
Suite 203
Washington, DC 20005

Invoice submitted to:
City of Des Moines
Public Works Department
Sewer Enterprise Division
3000 Vandalia Road
Des Moines IA 50317-1346
William Stowe, Public Works Director

July 18, 2006
In Reference To: Consent Decree Negotiation / LTCP
Invoice #5294

Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
6/19/2006	GBC	Draft issue identification.	1.75 250.00/hr	437.50
6/20/2006	GBC	Revise issue identification; Discuss same with J. Hall.	1.50 250.00/hr	375.00
	JCH	Review draft outline of permit/enforcement issues; Discuss with G. Cohen.	0.75 250.00/hr	187.50
	AR	Research case law re overfiling under the CWA.	7.00 150.00/hr	1,050.00
6/21/2006	GBC	Research case law re EPA overfiling; Discuss same with A. Ritter; Redraft analysis.	3.25 250.00/hr	812.50
	AR	Continue research re overfiling; Discuss with G. Cohen; Research case law re <i>res judicata</i> .	4.00 150.00/hr	600.00
6/22/2006	GBC	Redraft documents.	1.25 250.00/hr	312.50
6/27/2006	CB	Review and edit memo re potential issues.	0.75 80.00/hr	60.00
	GBC	Review case law; Revise and finalize analysis.	2.25 250.00/hr	562.50
		For professional services rendered	<u>22.50</u>	<u>\$4,397.50</u>

2A

City of Des Moines

Page 2

Additional Charges :

	<u>Amount</u>
6/30/2006 Postage Charges - June 2006.	0.43
Local/Long Distance Telephone Charges - June 2006.	53.79
Total costs	<u>\$54.22</u>
Total amount of this bill	<u>\$4,451.72</u>
Previous balance	\$8,028.73
7/3/2006 Payment of invoice #5259 - thank you	<u>(\$101.96)</u>
Total payments and adjustments	(\$101.96)
Balance due	<u><u>\$12,378.49</u></u>

due

\$12,378.49



7/21/06 approval by
 [Signature]
 JORU WKA
 JORU CDM