



Roll Call Number

23-0782

Agenda Item Number

Ex 1

Date

May 22, 2023

RETENTION OF OUTSIDE COUNSEL

WHEREAS, Des Moines Police Officer Thomas Garcia has been sued along with the City of Des Moines and two other police officers; and

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

WHEREAS, it would be in the best interest of the City to obtain outside counsel to represent Officer Garcia; and

WHEREAS, Attorney Brent L. Hinders has agreed to represent him.

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

That Brent L. Hinders of the law firm Hopkins & Huebner, P.C., 2700 Grand Ave., Suite 111, Des Moines, Iowa 50312 be and is retained by the City of Des Moines for the purpose of representing Des Moines Police Officer Thomas Garcia. Such retention is at the rate of \$175.00 per hour plus reasonable expenses.

BE IT FURTHER RESOLVED that the attorney is to provide detailed billing for such services and payment for such services may be periodic. The Finance Director is authorized to pay for such services and the City Attorney shall report such payments to the City Council on a quarterly basis.

Moved by Gatto to adopt.

Second by Boesen

Approved as to Form:

/s/: Carol J. Moser

Carol J. Moser, Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

J. M. Franklin Cownie 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