



**Request for City Council Committee Action  
From the City Attorney's Office**

Date: November 10, 2004  
To: Ways & Means/Budget Committee  
Referral to:

**Subject:** Authorization for the City to enter into a Master Legal Services Agreement with Kaplan, Kirsch & Rockwell, L.L.P.

**Recommendation:** That the City Council authorize the proper City officials to enter into a Master Legal Services Agreement with Kaplan, Kirsch & Rockwell, L.L.P. in an amount not to exceed \$300,000.00 for the purposes of handling a lawsuit(s) against the Federal Aviation Administration and/or the Metropolitan Airports Commission to enforce noise mitigation and abatement relating to the Minneapolis/St. Paul Airport.

**Previous Directives:**

Prepared by: Peter W. Ginder, Deputy City Attorney Phone: 673-2478

Approved by: \_\_\_\_\_  
Jay M. Heffern  
City Attorney

Presenter in Committee: Peter W. Ginder, Deputy City Attorney

**Financial Impact** (Check those that apply)

- No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain): 6900 150 1500 2400
- Request provided to the Budget Office when provided to the Committee Coordinator

**Community Impact:**

- Neighborhood Notification
- City Goals:
- Comprehensive Plan
- Zoning Code
- Other

**Background/Supporting Information**

The Council has previously authorized the City Attorney's Office to initiate a lawsuit(s) against the Federal Aviation Administration and/or the Metropolitan Airports Commission to enforce noise mitigation and abatement relating to the Minneapolis/St. Paul Airport. The City Attorney is requesting that the Council authorize the proper City officials to enter into a Master Legal Services Agreement with Kaplan, Kirsch & Rockwell, L.L.P. in an amount not to exceed \$300,000.00 for purposes of representing the City in these lawsuits. The Kaplan Kirsch law firm is recognized nationally as experts in the airport/aviation law field and the City Attorney recommends retaining them because of its specialized expertise in this complex litigation.