



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

Date: November 15, 2005  
To: Ways & Means/Budget Committee  
Referral to:

**Subject:** Amendment of Master Legal Services Agreement with Kaplan, Kirsch, and Rockwell, LLP.

**Recommendation:** That the City Council authorize the proper City officials to amend the Master Legal Services Agreement between the City of Minneapolis and Kaplan, Kirsch, and Rockwell, LLP so that the cost for said agreement not exceed \$600,000.00 for the term of the agreement.

**Previous Directives:**

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

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

Presenter in Committee: Jay M. Heffern, 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:**

City Goals:

**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 Council further authorized the City Attorney to enter into a master legal services agreement with Kaplan, Kirsch and Rockwell in an amount not to exceed \$300,000.00 for purposes of representing the City in these lawsuits. The City has served and filed a lawsuit against the Metropolitan Airports Commission for these purposes and that case is currently pending in Hennepin County District Court. The Court has also permitted Northwest Airlines to intervene in this

lawsuit. Because of the significant costs involved in this type of complex litigation, including but not limited to expert witness fees and costs, compensation and reimbursable expenses will exceed the \$300,000.00 limit in place under the current master agreement. This Office requests that it be permitted to amend the Master Legal Services Agreement so that the total compensation and reimbursable expenses may be increased by an additional \$300,000.00 for the term of the agreement.