



Bill No. 4165

Ordinance No. \_\_\_\_\_

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, SIEGEL, BULLINGTON

**AN ORDINANCE AUTHORIZING THE CITY OF BALLWIN TO EXECUTE A CONTRACT RETAINING SPECIAL LEGAL COUNSEL FOR THE LIMITED PURPOSE OF PROVIDING ADVICE AND DIRECTION WITH RESPECT TO A DATA SECURITY INCIDENT.**

WHEREAS, the Board of Aldermen ("Board") of the City of Ballwin, State of Missouri ("City") finds and declares that there is reason to believe that it needs legal representation with respect to a data security incident;

WHEREAS, the Board finds and declares that its City Attorney is not in a position to render optimal advice and direction in this matter and it is in the best interests of all concerned, including but not limited to the taxpayers and residents of the City, that the City engage special counsel for advice and direction in this matter; and

WHEREAS, Nicholas Kurk, Madaleine Gray and other lawyers in the law firm of which they are members, McDonald Hopkins PLC are experienced attorneys retained by the City's insurer, who are qualified to render expert legal advice in this matter.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Nicholas Kurk, Madaleine Gray and McDonald Hopkins PLC are hereby retained as Special Counsel to the City of Ballwin to render advice and direction to its Board with respect to a data security incident. The City Administrator is hereby authorized to execute a retention agreement with Special Counsel.

Section 2. Special Counsel shall receive up to \$350.00 per hour for their legal services in connection with this matter.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2023.

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*TIM POGUE, MAYOR*

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.

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*TIM POGUE, MAYOR*

ATTEST: \_\_\_\_\_  
*ERIC STERMAN, CITY ADMINISTRATOR*