

★ Roll Call Number  
 11-0223

Agenda Item Number  
 49

Date February 14, 2011

**APPROVAL OF AGREEMENT BETWEEN THE  
 CITY OF DES MOINES AND BRUCE E. BERGMAN  
 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**

**WHEREAS**, it is the desire of the City of Des Moines ("City") to receive legal advice from Bruce E. Bergman ("Bergman") regarding matters about which he has unique knowledge from his tenure as Des Moines City Attorney; and

**WHEREAS**, it is anticipated that the advice which includes matters related to pending litigation will extend for several years; and

**WHEREAS**, Bergman is amenable to provide such legal advice to the Des Moines City Council, the City Manager and members of the Des Moines Legal Department as needed; and

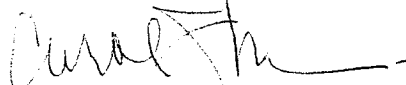
**WHEREAS**, in consideration for Bergman's services the City has agreed to continue to pay for Bergman's health insurance premiums through May 1, 2013; and

**WHEREAS**, an agreement has been prepared, a copy of which is on file with the City Clerk.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa that the Agreement between the City of Des Moines, Iowa and Bruce E. Bergman is hereby approved through May 1, 2013 and the City Manager is authorized and directed to execute the Agreement.

Moved by Hensley to adopt.

Approved as to form:

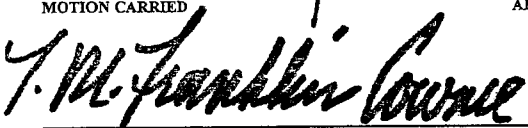
  
 Carol J. Moser, Assistant City Attorney

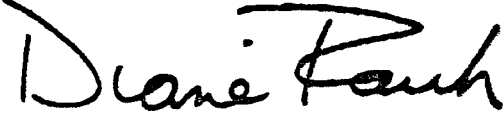
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

**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.

  
 T. M. Franklin, Mayor

  
 Diane Rauh, City Clerk