



Roll Call Number

26-0832

Agenda Item Number

23

Date July 13, 2026

**WAIVER AND CONSENT TO CONFLICT OF INTEREST IN REPRESENTATION BY
NYEMASTER GOODE, P.C. OF CENTRAL IOWA WATER WORKS REGARDING A WATERMAIN
EASEMENT ACROSS REAL ESTATE OWNED BY THE CITY**

WHEREAS, Nyemaster Goode, P.C. represents Central Iowa Water Works ("CIWW") as counsel and the City of Des Moines in various matters, including collective bargaining and has an attorney who is a former Assistant City Attorney for the City for both the Infrastructure Division in Real Estate and the Intergovernmental Division in economic development and other matters; and,

WHEREAS, CIWW has asked Nyemaster Goode, P.C., specifically the former Assistant City Attorney, to assist with reviewing a proposed watermain easement across City-owned property generally located at 200 SW 16th Street; and,

WHEREAS, the City's legal representation in said matters will be provided by the Deputy City Attorney for the Infrastructure Division.

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

1. That the Mayor is hereby authorized and directed to execute the waiver and consent to an actual, potential or perceived conflict of interest associated with Nyemaster Goode, P.C.'s representation of CIWW in the above-described matter.
2. That the City Attorney is authorized to withdraw and terminate such waiver and consent for any reason, in his sole discretion, should he determine that termination of the waiver and consent is appropriate.

MOVED by Gatto to adopt. Second by Voss.

FORM APPROVED:

/s/ Jeffrey D. Lester
Jeffrey D. Lester
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
BARRON	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

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.

Connie Bassen

Mayor

Laura Baumgartner

City Clerk