

★ **Roll Call Number**

Agenda Item Number

43

Date December 18, 2006

WHEREAS, the City of Des Moines, Iowa has been notified by Intergraph Corporation, PO Box 6695, Huntsville, Alabama 35824 that their corporation signed an agreement to merge with the Cobalt Holding Company an affiliate of Hellman & Friedman and Texas Pacific Group.

WHEREAS, said notification was accomplished by a letter requesting acknowledgement of the merger, and;

WHEREAS, the City of Des Moines, Iowa is requested to waive any and all rights to terminate or allege a breach of prior agreements by reason of the merger, and;

WHEREAS, the City of Des Moines, Iowa has several existing contracts with Intergraph Corporation, PO Box 6695, Huntsville, Alabama 35824 for software licensing, software installation, and software upgrading at the Des Moines, Iowa Police Department Communication Section, and;


WHEREAS, this software is critical to Public Safety Communications for the Police and Fire Departments, and;

WHEREAS, It is in the best interest of the City of Des Moines, Iowa to maintain existing contracts with Intergraph Corporation, and;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Intergraph Corporation letter dated November 15, 2006 notifying the City of a merger between Intergraph Corporation, PO Box 6695, Huntsville, Alabama 35824 and the Cobalt Holding Company an affiliate of Hellman & Friedman and Texas Pacific Group is approved by the City and the Mayor of the City of Des Moines, Iowa is hereby authorized and directed to sign said letter and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.

(Council Letter Number 06-772 attached)

Approved as to form:



 Douglas P. Philip
 Assistant City Attorney

Moved by _____ to adopt

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COLEMAN				
COWNIE				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		

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.

 Mayor

 City Clerk