

★ Roll Call Number
08-628

Agenda Item Number
4

Date April 14, 2008

APPROVAL OF HOLD HARMLESS AGREEMENT WITH JANN REALTY FOR THE SOUTHWESTERN HILLS AND DOWNTOWN DES MOINES NEIGHBORHOOD SCRUB PROGRAM

WHEREAS, the City of Des Moines Public Works Department operates the Neighborhood SCRUB program; and

WHEREAS, Jann Realty has agreed to allow use of their parking lot at 1901 Bell Avenue as a drop off collection site on the morning of April 19, 2008 for the Southwestern Hills and Downtown Des Moines Neighborhood SCRUB Program; and

WHEREAS, Jann Realty requests that the City execute a City of Des Moines SCRUB Program Facility Use Permit and Hold Harmless Agreement, a copy of which is on file in the City Clerk's Office, which allows use of their parking lot and provides that the City will indemnify and hold harmless Jann Realty for claims arising out of the City's use of the parking lot.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the City of Des Moines SCRUB Program Facility Use Permit and Hold Harmless Agreement for use of the Jann Realty parking lot at 1901 Bell Avenue is hereby approved and the City Manager is hereby authorized and directed to sign the above described Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to his signature.

Moved By Hensley To Adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
HENSLEY	✓			
KIERNAN				✓
MAHAFFEY	✓			
MEYER	✓			
VLASSIS				✓
TOTAL	4			3

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.

Diane Rauh City Clerk

MOTION CARRIED APPROVED
T. M. Franklin
Mayor