

★ Roll Call Number
08-1516

Agenda Item Number
32

Date August 25, 2008

AUTHORIZING CITY MANAGER TO EXECUTE HOLD HARMLESS AGREEMENT WITH HOST SITES FOR NEIGHBORHOOD SCRUB PROGRAM

WHEREAS, the City of Des Moines Public Works Department operates the Neighborhood SCRUB program at various private sites and at non-City owned property throughout Des Moines; and

WHEREAS, entities which have agreed to allow use of their property as a drop off collection site have requested that the City provide a hold harmless to allow such SCRUB Program to operate on their site; and

WHEREAS, a City of Des Moines SCRUB Program Facility Use Permit and Hold Harmless Agreement, which allows use of private property and non-City owned property for operation of the SCRUB Program and provides that the City will indemnify and hold harmless the site owner for claims arising out of the City's use of the site, has been prepared and is on file in the City Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above described City of Des Moines SCRUB Program Facility Use Permit and Hold Harmless Agreement is hereby authorized and the City Manager is authorized and directed to sign said Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to his signature.

Moved By Vlassis To Adopt.

(Council Communication No. 08- 506 attached)

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	6			1

MOTION CARRIED

APPROVED

Chilton L. Hearley
 Mayor

MAYOR PRO TEM

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