



Roll Call Number

09-2295

Agenda Item Number

30

Date December 21, 2009

RESOLUTION APPROVING PARKING LICENSE AGREEMENT BETWEEN THE CITY AND WELLS FARGO FINANCIAL, INC. FOR PARKING SPACES IN THE EIGHTH AND MULBERRY PARKING GARAGE

WHEREAS, by Roll Call No. 07-072 of January 8, 2007, the City Council of the City of Des Moines, Iowa, approved a Parking License Agreement between the City and Wells Fargo Financial, Inc. ("Wells Fargo") for the license of 226 parking spaces in the Park & Ride Garage for use by Wells Fargo ("Park & Ride Agreement"); and

WHEREAS, Wells Fargo desires to temporarily use parking spaces within the City Parking Garage located in the vicinity of Eighth and Mulberry Streets in lieu of its right to use parking spaces in the Park & Ride Garage under the Park & Ride Agreement; and

WHEREAS, to enable such temporary alternative parking, the City and Wells Fargo agree to suspend their respective rights and obligations under the terms of the Park & Ride Agreement and the City and Wells Fargo propose that the City grant to Wells Fargo a license to use 143 parking spaces in the Eighth and Mulberry Garage pursuant to the terms and conditions of the Parking License Agreement on file in the Office of the City Clerk.

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

- 1. The Parking License Agreement between the City and Wells Fargo on file in the Office of the City Clerk concerning 143 parking spaces within the Eighth and Mulberry Garage, be and is hereby approved.
2. The Mayor is hereby authorized and directed to sign the Parking License Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.
3. The City Clerk is hereby authorized and directed to forward an executed copy of said Parking License Agreement to the Legal Department for delivery to Wells Fargo.

APPROVED AS TO FORM:

Moved by Hensley to adopt.

[Signature of Lawrence R. McDowell]

Lawrence R. McDowell
Deputy City Attorney

(Council Communication No. 09-877)

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and TOTAL (7 yeas).

MOTION CARRIED 7 APPROVED
T.M. Franklin Council Mayor

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.

[Signature of Diane Rauh]

City Clerk