

★ Roll Call Number

11-0800

Agenda Item Number

34

Date May 9, 2009

RESOLUTION APPROVING AMENDMENT TO 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, by Roll Call No. 09-2295 of December 21, 2009, the City Council approved a Parking License Agreement between the City and Wells Fargo for the temporary use of 143 parking spaces in the Eighth and Mulberry Garage; and

WHEREAS, Wells Fargo desires to extend the temporary use of parking spaces within the Eighth and Mulberry Parking Garage in lieu of its right to use parking spaces in the Park & Ride Garage under the Park & Ride Agreement; and

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

(Continued on Page 2)

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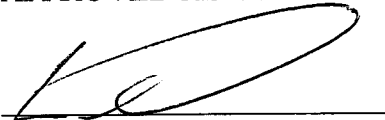
-2-

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

1. The Amendment to 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 Amendment to 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 Amendment to the Parking License Agreement to the Legal Department for delivery to Wells Fargo.

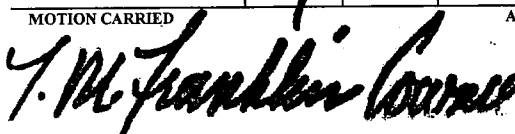
APPROVED AS TO FORM:

Moved by Hensley to adopt.


 Lawrence R. McDowell
 Deputy City Attorney

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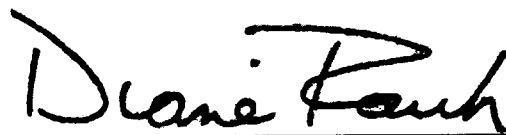
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED 7 APPROVED

 T. M. Franklin
 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.


 Diane Rauh
 City Clerk