★ **Roll Call Number** 12-0573

Agenda Item Number 56

Date April 9, 2012

APPROVAL OF SECOND AMENDMENT TO AMENDED AND RESTATED AGREEMENT FOR THE DES MOINES REGIONAL TRANSIT AUTHORITY

WHEREAS, by Roll Call No. 05-3055 of December 19, 2005, the City Council of the City of Des Moines approved the Amended and Restated Agreement for the Des Moines Regional Transit Authority and by Roll Call No. 10-559 of April 12, 2010, the City Council approved the First Amendment to such Agreement; and

WHEREAS, the Second Amendment to the Amended and Restated Agreement has been prepared, which Amendment addresses the formation of new DART transit district boundaries and the selection of DART Commission representatives from each transit district; and

WHEREAS, the parties to the Amended and Restated Agreement consider it desirable to amend said Agreement by approval of the Second Amendment.

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

1. That the Second Amendment to the Amended and Restated Agreement for the Des Moines Regional Transit Authority, on file in the Office of the City Clerk, is hereby approved.

2. That the Mayor is hereby authorized and directed to execute the Second Amendment to the Amended and Restated Agreement for the Des Moines Regional Transit Authority and the City Clerk is authorized to attest to his signature.

3. That the City Clerk is hereby directed to return the Second Amendment to DART for filing.

APPROVED AS TO FORM:

Lawrence R. McDowell
Deputy City Attorney

Moved by Hensley to adopt.

(Council Communication No. 12-175)

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

MOTION CARRIED APPROVED

T. M. Franklin Cownie
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