



**Council
Communication**
Office of the City Manager

Date

July 16, 2007

Agenda Item No.

Roll Call No. 07-

Communication No. 07-423

Submitted by: Richard A. Clark, City Manager

AGENDA HEADING:

Approval of Facility Use Agreement between the City of Des Moines and the Des Moines Independent Community School District for Use of the Former Top Value Store at 801 University Avenue.

SYNOPSIS:

Recommend approval of a facility use agreement between the City of Des Moines (City) and Des Moines Independent Community School District (School District) for use of the former Top Value store at 801 University Avenue. The School District would like to use the facility for the temporary storage of textbooks from July 16, 2007, until August 20, 2007.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

The City owns the former Top Value property, which is unoccupied at this time. This facility use agreement provides the School District with an exclusive right to use the building only as needed for storage and sorting of school textbooks during the period defined above. At the expiration of the agreement, the School District will deliver possession of the facility to the City.

The School District will assume all liability for district owned materials and employees at the site, indemnify the City against any claim arising from their use of the building, and pay for any direct expenses associated with their use of the building. Due to the short-term nature of the School District's need, staff recommends that the facility be provided at no charge.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE