

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	October 20, 2014
	Agenda Item No.	48
	Roll Call No.	<u>14-1661</u>
	Communication No.	<u>14-499</u>
	Submitted by:	Pamela S. Cooksey, P.E., Interim City Engineer

AGENDA HEADING:

Continuance of hearing for approval of a proposed lease agreement with the Des Moines Bicycle Collective for the placement of B-Cycle Program kiosks on City right-of-way.

SYNOPSIS:

Recommend continuance of hearing for approval of the lease agreement with the Des Moines Bicycle Collective, Jeremy Lewis, Executive Director, 506 E. 6th Street, Des Moines, Iowa, 50309, for the placement of B-Cycle Program kiosks on City right-of-way, for \$1,000 to November 3, 2014. This action is required by Iowa law prior to making a final determination on the proposed conveyance by resolution.

Des Moines Bicycle Collective is requesting the use of City-owned property located at the intersection of 12th Street and Grand Avenue and the intersection of 10th Street and Walnut Street for the placement of and operation of B-Cycle Program bicycle kiosks. The proposed lease agreement is not expected to have any current or anticipated future impact on the City’s use of the property.

FISCAL IMPACT:

Amount: \$1,000 (Revenue)

Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090

ADDITIONAL INFORMATION:

The City’s Real Estate Division has negotiated a lease agreement with the Des Moines Bicycle Collective which includes a lease term commencing upon execution by City of the agreement and terminating on November 30, 2019, and subject to termination by either party, with or without cause, upon 30 calendar days written notice. The terms of lease agreement are equal to the fair market value for the leased premises, as estimated by the City’s Real Estate Division. The Des Moines Bicycle Collective will place and operate the B-Cycle Program bicycle kiosks in accordance with all applicable local, state and federal laws and requirements, including but not limited to site plan requirements, and in accordance with the ICAAP Agreement between the City of Des Moines and the Des Moines Bicycle Collective for development and completion of bicycle sharing stations. The Des Moines Bicycle Collective will also provide the following throughout the entire term of the Lease Agreement: (a) mow all grassed areas and trim and maintain all landscaping within the Leased Premises; (b) cut

and remove any weeds growing on the Leased Premises; (c) keep the premises free from nuisances and debris; (d) maintain the premises in a clean, safe and attractive condition (e) clear snow, ice and other debris from and adjacent to the Leased Premises, including the adjacent sidewalks.





PREVIOUS COUNCIL ACTION(S):

Date: October 6, 2014

Roll Call Number: [14-1561](#)

Action: [On](#) approval of a proposed Lease Agreement with The Des Moines Bicycle Collective for placement of B-Cycle Program Kiosks on City right-of-way, (10-20-14). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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