



Date June 24, 2019

RESOLUTION SCHEDULING HEARING ON PROPOSED LEASE WITH EMPLOYER'S MUTUAL CASUALTY COMPANY FOR OFFICE SPACE IN THE PARKING GARAGE PROPERTY AT 750 MULBERRY STREET

WHEREAS, by Roll Call No. 19-0831 of May 20, 2019, the City Council approved the sale of the Eighth and Mulberry parking garage property at 750 Mulberry Street to Employer's Mutual Casualty Company ("EMC") and the terms of sale include the lease to the City of existing occupied office space in the parking garage for the City's police department traffic enforcement operations on terms acceptable to the City and EMC; and

WHEREAS, a copy of the proposed lease with EMC is on file in the Office of the City Clerk which lease provides for use of the existing occupied office space in the parking garage for police department traffic enforcement operations, a term of ten years and an initial annual rent of \$1,200.00 with escalation to \$1,400.00 by the end of the term; and

WHEREAS, it is in the best interests of the City to lease the office space for continued police department traffic enforcement operations; and

WHEREAS, in accordance with Iowa Code Section 364.4(4) it is necessary for the City Council to give notice and hold a public hearing on the proposed action to approve and enter into the lease; and

WHEREAS, rent on the lease shall be payable solely out of the City's general fund and will not cause the total annual lease payments due from the general fund in any single future fiscal year for all leases currently enforced to exceed ten percent of the last certified general fund budget amount.

NOW, THEREFORE, be it resolved by the City Council of the City of Des Moines, Iowa:

- 1. The City of Des Moines hereby declares its intent to take action to approve and enter into the lease with Employer's Mutual Casualty Company for the existing occupied office space in the parking garage at 750 Mulberry Street following the public hearing to be held on July 15, 2019 at 5:00 p.m. in the Council Chambers at City Hall.

★ Roll Call Number

Agenda Item Number

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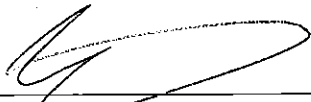
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- 2. The City Clerk is hereby authorized and directed to publish notice of said hearing and intent to take action to approve and enter into the lease in the form hereto attached, all in accordance with Iowa Code Section 362.3.
- 3. The City hereby agrees and consents to the indemnification terms contained in the lease relating to the City's use of the occupied office space in the parking garage prior to the City's approval and execution of the lease.

Moved by _____ to adopt.

APPROVED AS TO FORM:



 Lawrence R. McDowell
 Deputy City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

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.

Mayor

City Clerk