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Date January 10, 2022

APPROVAL OF SECOND RENEWAL AGREEMENT TO LICENSE AGREEMENT WITH ISLAMIC CENTER OF DES MOINES FOR USE OF A PORTION OF GLENDALE CEMETERY TO BURY DECEASED MEMBERS OF THE ISLAMIC FAITH

WHEREAS, the Parks and Recreation Department, owns and operates Glendale Cemetery; and

WHEREAS, on January 6, 1997, by Roll Call No. 97-074, the City Council approved a License Agreement between the City of Des Moines and the Islamic Center of Des Moines which conditionally grants the Islamic Center a license to use 527 spaces in Block 37B of Glendale Cemetery to bury members of the Muslim faith; and

WHEREAS, the License Agreement was amended by Addendum on December 21, 1998, by Roll Call No. 98-3897 to permit burials without a vault or burial space liner and to permit certain variations in the burial process, and amended by Second Addendum by Roll Call No. 99-1692, on May 24, 1999, to permit additional variations in the burial process regarding the manner of digging graves and the handling the body into the grave, and was renewed by the 2016 Renewal Agreement until January 6, 2022 ("the License Agreement"); and

WHEREAS, the 2016 Renewal Agreement, approved by the City Council on October 10, 2016, by Roll Call No. 16-1729, provides for up to three (3) additional five (5) year renewals for the payment of \$5,000 per renewal, subject to the continuing determination that \$5,000 provides fair market value during subsequent renewal terms, and Parks and Recreation Department staff have negotiated a proposed Second Renewal Agreement, a copy of which is in the City Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Second Renewal Agreement to License Agreement Between the City of Des Moines and Islamic Center of Des Moines, a copy of which is available in the City Clerk's Office, is hereby approved and the Mayor is authorized and directed to sign the Agreement on behalf of the City and the City Clerk is authorized and directed to attest to his signature.

(Council Communication No. 22- 002 ) Moved by \_\_\_\_\_ to Adopt.

Approved As To Form:

Ann DiDonato, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

CERTIFICATE

I, P. Kay Cmelik, 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