Date Febraruay 19, 2024

HOLD HEARING FOR APPROVAL OF FORM AND AUTHORIZING EXECUTION OF A LEASE WITH 1901 BELL AVE, LLC FOR USE OF 4,200 SQUARE FEET OF WAREHOUSE SPACE LOCATED AT 1901 BELL AVENUE BY THE DES MOINES POLICE DEPARTMENT FOR STORAGE OF IMPOUNDED VEHICLES

WHEREAS, on February 27, 1995, by Roll Call No. 95-774, the City Council of the City of Des Moines voted to authorize a lease agreement between the City of Des Moines and Jann Realty, L.P. for 4,200 square feet of warehouse space in the building located at 1901 Bell Avenue; and

WHEREAS, 1901 Bell Ave, LLC, successor in interest to Jann Realty, L.P., now owns property located at 1901 Bell Avenue, Des Moines, Iowa; and

WHEREAS, City of Des Moines Police Department wishes to continue leasing the 4,200 square feet of warehouse space located at 1901 Bell Avenue for the purpose of storing vehicles that have been seized by the City of Des Moines Police Department and are subject to State forfeiture; and

WHEREAS, the Real Division has negotiated a commercial lease agreement ("Agreement") with 1901 Bell Ave, LLC that includes, among others, the following terms:
- A term of Six (6) years;
- A rental rate of $1,350.00 per month for the first year , and 5% increases each year after that:
Year 2	$ 1,417.50
Year 3	$ 1,488.38
Year 4	$ 1,562.80
Year 5	$ 1,640.94
Year 6	$ 1,723.00;
- City may terminate the Agreement for any reason by providing thirty days' written notice to 1901 Bell Ave, LLC; and

WHEREAS, on February 5, 2024 by Roll Call No. _____, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed approval and execution of the lease agreement be set down for hearing on February 19, 2024, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, due notice of said proposal to convey the Property was given to all necessary parties as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in the proposed lease agreement, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

Date Febraruay 19, 2024

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed lease agreement with 1901 Bell Ave, LLC for 4,200 square feet of warehouse space located at 1901 Bell Avenue, Des Moines, Iowa, as described herein, are hereby overruled and the hearing is closed.

2. That the six-year lease agreement between 1901 Bell Ave, LLC and the City of Des Moines for 4,200 square feet of warehouse space located at 1901 Bell Avenue, recommended for approval and acceptance by the Real Estate Division of the Engineering Department and on file in the office of the City Clerk, be and is hereby approved and accepted.

3. That the City Clerk is hereby authorized and directed to endorse upon the Agreement the approval and acceptance of this Council; the Mayor is authorized and directed to sign the Agreement; and the City Clerk is further authorized and directed to deliver the aforementioned documents to the Real Estate Division Manager, who shall mail the original of the Lease Agreement and copies of the other documents to 1901 Bell Ave, LLC.

Moved by _____ to adopt. Second by _____ .

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
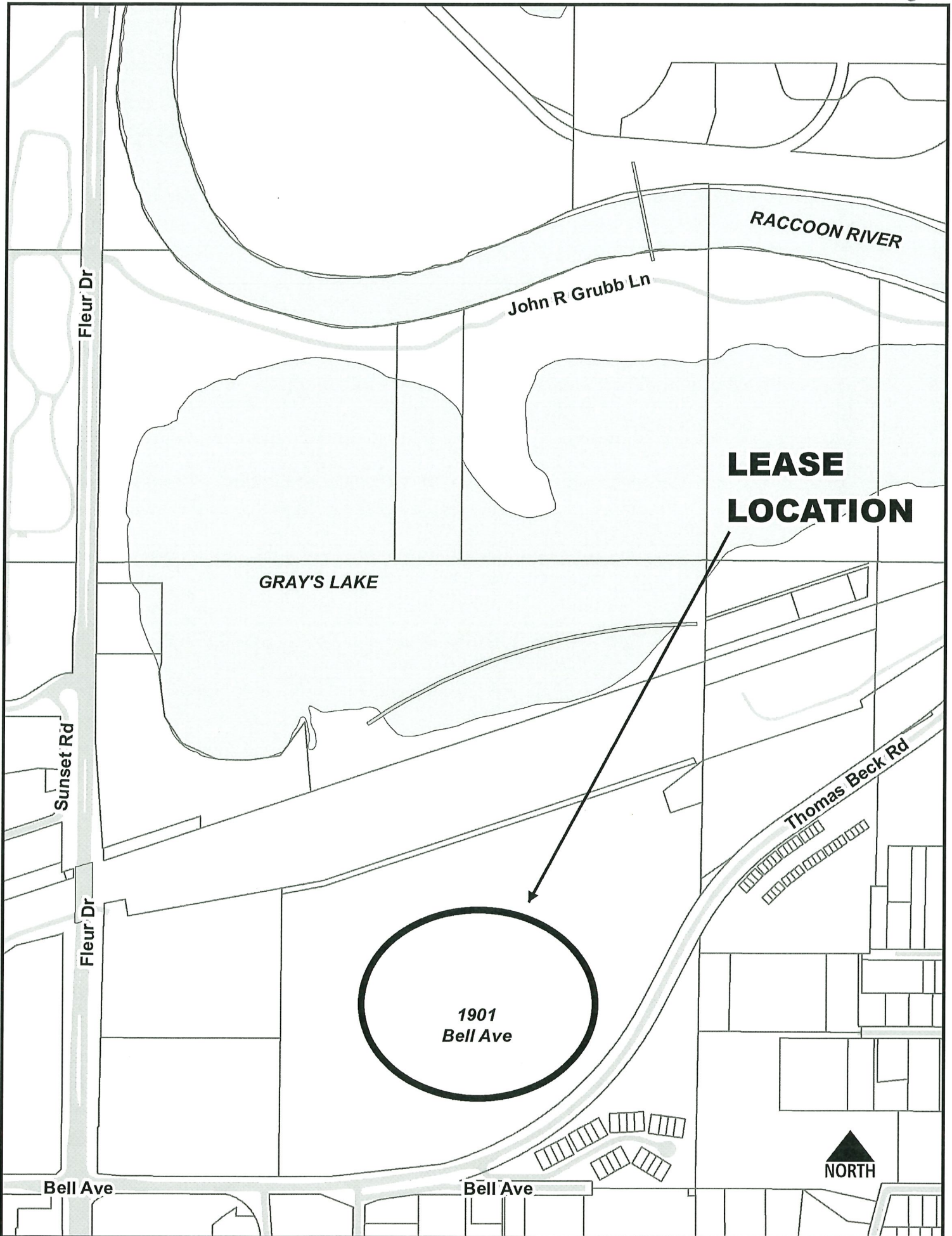Mackenzie L. Moreno, Assistant City Attorney

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

MOTION CARRIED   APPROVED

_____ Mayor

CERTIFICATE

I, Laura Baumgartner, 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.

_____ City Clerk

Fleur Dr

RACCOON RIVER

John R Grubb Ln

LEASE LOCATION

GRAY'S LAKE

Sunset Rd

Fleur Dr

Thomas Beck Rd

1901
Bell Ave

Bell Ave

Bell Ave

▲
NORTH