



Roll Call Number

10-1059

Agenda Item Number

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Date June 28, 2010

HOLD HEARING FOR THE LEASE OF A PORTION OF PARKS DEVELOPMENT CENTER AT 405 SE 20<sup>TH</sup> STREET BY DES MOINES MUNICIPAL HOUSING AGENCY

WHEREAS, the City of Des Moines Municipal Housing Agency ("DMMHA") manages and maintains public housing units funded by the United States Department of Housing and Urban Development (HUD); and

WHEREAS, DMMHA needs storage space for supplies, materials and equipment to service the public housing units; and

WHEREAS, DMMHA has leased 10,000 square feet of space on 117 Arthur Avenue and will not renew such lease, which expires on June 30, 2010; and

WHEREAS, the City of Des Moines Park and Recreation Department operates the Parks Development Center located at 405 S.E. 20<sup>th</sup> Street ("Center") and has identified 700 square feet of indoor (non-heated) space, 5,400 square feet of outdoor storage space and nominal indoor heated space which is not needed for City purposes and which space DMMHA desires to use for its storage needs; and

WHEREAS, the DMMHA is also desirous to have the CITY provide small engine repair services to the DMMHA small engine fleet and access to its carpenter shop operations and equipment; and

WHEREAS, the CITY is desirous to provide said space and repair services at a reasonable rate; and

WHEREAS, on June 14, 2010, by Roll Call 10-905, it was duly resolved by City Council that the proposed lease of a portion of Parks Development Center, as more specifically described below, be set down for hearing on June 28, 2010 at 5:00 pm in the Council Chamber; and

WHEREAS, due notice of said proposal to lease public real property interests was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with said notice, those interested in said proposed lease, 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, that:

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1. Upon due consideration of the facts and statements of interested persons, the objections to said proposed lease of public real property as described below are hereby overruled and the hearing is closed.

2. There currently is no public need for the property to be leased and the public would not be inconvenienced by reason of the lease of the below described property at the Parks Development Center to the Des Moines Municipal Housing Agency.

3. The lease of 700 square feet of indoor storage space at a rate of \$3.00 per square foot (\$2,100.00 per year) and of 5,400 square feet at a rate of \$1.00 per square foot for outdoor space for (\$5,400.00 per year) for an annual total of \$7,500.00, for an initial term of five years beginning July 1, 2010, with up to three 5 year renewals, with a rate adjustment for each renewal term, based on a market analysis.

4. The City Manager is authorized and directed to sign the lease agreement as identified above, and up to three 5 year renewal agreements after the initial term of this lease, if determined to be in the best interests of the City, and the City Clerk is authorized and directed to attest to the City Manager's signature.

5. That the City Clerk is authorized and directed to forward the original of the Lease Agreement, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Park and Recreation Department for the purpose of causing said documents to be recorded in the Polk County Recorder's Office, upon full execution.

6. Upon receipt of the recorded documents back from the Polk County Recorder, the Park and Recreation Department shall file the original of the Lease Agreement and send copies to the City Clerk, the Land Records Clerk and to the Lessee.

(Council Communication No. 10-395)

Moved by Meyer to adopt.

APPROVED AS TO FORM:

Ann DiDonato  
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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.

T. M. Franklin  
Mayor

Diane Rauh  
City Clerk