

★ Roll Call Number

10-1076

Agenda Item Number

50 I

Youth and Shelter Services, Inc. Lease

Date June 28, 2010

HOLD HEARING FOR APPROVAL OF PROPOSED LEASE OF CITY-OWNED PROPERTY IN THE LOWER LEVEL OF THE 7th AND GRAND AVENUE PARKING GARAGE TO YOUTH AND SHELTER SERVICES, INC. FOR \$1,389.00 PER MONTH

WHEREAS, the City of Des Moines owns real property locally known as 701 Grand Avenue ("Property"), more particularly described below:

Space No. W-1 W-2, W-3 and W-4 Leasehold Site Improvements Lots 1, 2 and 3, Block F, Grimmels Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and

WHEREAS, Youth and Shelter Services, Inc. has offered to lease the Property from the City for operation of their Iowa Homeless Youth Centers (IHYC) program for a term of three years, with the option to renew for two additional three-year terms, subject to a ninety-day termination option for both parties, and payment of \$1,389.00 per month for the initial period, which amount represents fair market rent as currently determined by the City's Real Estate Division, with rent increases for each subsequent option period; and

WHEREAS, the City of Des Moines has no immediate or short term municipal purpose or use for the Property, and it is in the best interest of the City to enter into the Lease Agreement with Youth and Shelter Services, Inc., which agreement is on file with the City Clerk; and

WHEREAS, on June 14, 2010, by Roll Call No. 10-904, it was duly resolved by the City Council that the proposed lease of the City-owned Property be set down for hearing on June 28, 2010, at 5:00 p.m. in the Council Chambers; and

WHEREAS, due notice of said proposal to lease the Property 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, as follows:

1. Upon due consideration of the facts and statements of interested persons, the objections to said proposed lease, as described herein, are hereby overruled and the hearing is closed.
2. That the Lease Agreement on file in the office of the City Clerk leasing City-owned property located at 701 Grand Avenue, more specifically described above, to Youth and Shelter Services Inc. for the initial monthly consideration of One Thousand Three Hundred Eighty-Nine Dollars (\$1389.00), is hereby approved.

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- 3. That the Mayor be and is hereby authorized and directed to sign the Lease Agreement and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.
- 4. That the Real Estate Division Manager of the Engineering Department is hereby authorized, directed and designated to act on behalf of the City to administer and enforce the terms of this Lease Agreement, and is further authorized and directed to approve and execute any non-substantive amendments to the Lease Agreement following approval as to form by the City Legal Department, and is further directed to return any substantive amendments to this Council for approval.
- 5. The proceeds from the lease of this property shall be deposited into the following account: 2009-10 Operating Budget, Page 86, T & T – Parking Administration, EN051, ENG100701.

(Council Communication No. 10.397)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

T. M. Franklin Council Mayor

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.

Diane Rauh City Clerk