



Roll Call Number

15-1865

Agenda Item Number

26

Date November 9, 2015

RESOLUTION FIXING DATE FOR PUBLIC HEARING ON THE PROPOSITION  
TO AUTHORIZE A LEASE AGREEMENT BETWEEN THE CITY OF DES MOINES  
AND MURPHY TRACTOR AND EQUIPMENT COMPANY FOR THE RENTAL OF  
UP TO FOUR MOTOR GRADERS FOR A FOUR-MONTH PERIOD AND  
FOR PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Des Moines, Iowa, should enter into a Lease Agreement for the rental of up to four motor graders to be used at the Department of Public Works, said lease to be for an approximately four-month period and said lease calls for monthly payments of \$4,950 for each motor grader plus fees and other charges, including excess hourly charges, as authorized by Section 364.4 and 384.25 of the Code of Iowa; and

WHEREAS, the Lease Agreement shall be payable from the general fund; and

WHEREAS, before the Lease Agreement may be authorized, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the City Council proposes to take action for the authorization of the Lease Agreement and to receive oral and written objections from any resident or property owner of the City to such action.

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

Section 1. That the City Council meet in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 o'clock P.M., on the 23rd day of November, 2015, for the purpose of taking action at a public hearing on the matter of the authorization of a Lease Agreement between the City of Des Moines and Murphy Tractor and Equipment Company, for the rental of up to four motor graders for the removal of snow, said lease to be for an approximately four-month period and said lease calls for monthly lease payments of \$4,950 for each motor grader (with a total rental amount of up to \$79,200 plus fees and other charges including excess hourly charges) to be used by the Department of Public Works.

Section 2. That the City Clerk is hereby directed to cause a publication to be made of a notice of said public hearing in a legal newspaper, printed wholly in the English language, not less than four clear days nor more than twenty days before the date of said public hearing on the authorization of said Lease Agreement.

Section 3. The notice of the proposed action to authorize said Lease Agreement shall be in substantially the following form:

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF DES MOINES,  
IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LEASE  
AGREEMENT BETWEEN THE CITY OF DES MOINES AND MURPHY TRACTOR  
AND EQUIPMENT COMPANY FOR THE RENTAL OF UP TO FOUR MOTOR  
GRADERS FOR A FOUR-MONTH PERIOD, IN THE PRINCIPAL AMOUNT OF  
MONTHLY LEASE PAYMENTS OF \$4,950 FOR EACH MOTOR GRADER (TOTAL



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RENTAL AMOUNT OF UP TO \$79,200 PLUS FEES AND OTHER CHARGES INCLUDING EXCESS HOURLY CHARGES) FOR THE PURPOSE OF LEASING THE MOTOR GRADERS AND THE PUBLIC HEARING ON THE AUTHORIZATION THEREOF.

PUBLIC NOTICE is hereby given that the City Council of the City of Des Moines, Iowa, will hold a public hearing on the 23rd day of November, 2015 at 5:00 o'clock P.M., in the Council Chambers, City Hall, Des Moines, Iowa to take additional action for the authorization of a Lease Agreement between the City of Des Moines and Murphy Tractor and Equipment Company in the principal amount of monthly lease payments of \$4,950 for each motor grader (resulting in total rental payments of up to \$79,200 plus fees and other charges including excess hourly charges) to pay costs of renting of up to four motor graders to be used for removal of snow by the Department of Public Works. The Lease Agreement will be payable from the general fund of the City.

At the above meeting the City Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the City Council will at this meeting or at any adjournment thereof, take additional action for the authorization of said Lease Agreement or will abandon the proposal.

This notice is given by order of the Council of Des Moines, Iowa, as provided in Sections 364.4 and 384.25 of the Code of Iowa, as amended.

Dated this 12th day of November, 2015.

(End of Notice)

Moved by Gatto to adopt.

APPROVED AS TO FORM:

[Signature]

Lawrence R. McDowell Deputy City Attorney

G:\APPDATA\LEGAL\LAWEYS\LRMRC\Murphy Tractor and Equipment Company

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	6			1

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.

[Signature] Mayor

[Signature] City Clerk