



Roll Call Number

19-1401

Agenda Item Number

36

Date September 9, 2019

RESOLUTION SCHEDULING HEARING ON THE PROPOSITION TO AUTHORIZE A LEASE AGREEMENT BETWEEN THE CITY OF DES MOINES AND KOCH BROTHERS, INC. FOR THE LEASE OF 81 MULTI-FUNCTION DEVICES (PRINTER, COPIER, SCANNER AND FACSIMILE) FOR USE IN CITY OPERATIONS FOR A FIVE YEAR PERIOD, IN THE AMOUNT NOT TO EXCEED \$709,391.22 AND 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 81 multi-function devices (printer, copier, scanner and facsimile) for use in city operations for a five year period, in an amount not to exceed \$709,391.22 to be paid in sixty monthly installments during the five year term (the "Lease Agreement" or "Agreement") as authorized by Sections 364.4 and 384.25 of the Code of Iowa for the purpose of providing funds to pay costs of acquiring the devices as hereinafter described; and

WHEREAS, the term of the proposed Agreement will not exceed the economic life of the property to be leased; and

WHEREAS, the Lease Agreement shall be payable solely and only out of the City's general fund and various enterprise funds of the City of Des Moines, and will not cause the total annual lease or lease payments due from the general fund in any single future fiscal year for all lease contracts currently enforced to exceed ten percent of the last certified general fund budget amount; and

WHEREAS, a copy of the proposed Agreement is on file in the Office of the City Clerk which provides that the City shall pay 60 monthly lease payments during the five year term; and

WHEREAS, before the proposed Agreement may be authorized, it is necessary to comply with the provisions of the Code of Iowa Sections 362.4 and 462.25 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/or written objections from any resident or property owner of said 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 hereby declares its intent , following a public hearing to be held on September 23, 2019 at 5:00 p.m. in the Council Chambers, City Hall, Des Moines, Iowa, to take action to approve and enter into a Lease Agreement with Koch Brothers, Inc. in an amount not to exceed \$709,391.22, the proceeds of which will be used to provide funds to pay the costs of leasing 81 multi-function devices (printer, copier, scanner and facsimile) for use in city operations for a five year period, to be paid in sixty monthly payments.

Section 2. That the Clerk is hereby directed to cause a publication to be made of a notice of said hearing and intent to take action to approve and enter into the Lease Agreement in a legal newspaper, printed wholly in the English language, not less than four clear days nor more than twenty days before the



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date of said public meeting in the form attached, all in accordance with Iowa Code sections 362.3, 362.4 and 384.25.

Moved by: Boesen to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato
Assistant City Attorney

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

J. M. Frankhu Cowrie Mayor

Diane Rauh City Clerk