



Date January 9, 2022

SET HEARING FOR APPROVAL OF AN IN-BUILDING LEASE AND AGREEMENT WITH USCOC OF GREATER IOWA, LLC (US CELLULAR) FOR WIRELESS COMMUNICATION EQUIPMENT WITHIN THE MUNICIPAL SERVICE CENTER PHASE 2

WHEREAS, on September 14, 2020, the City Council of the City of Des Moines, Iowa approved the plans, specifications, form of contract documents, and Engineer's estimate of construction cost for the construction of the Municipal Service Center – Phase 2; and

WHEREAS, Municipal Service Center – Phase 2 (hereinafter MSC2) construction is complete and the City Fleet Services, Public Works and Radio Shop departments now occupy the new facility; and

WHEREAS, United States Cellular is the cell phone service provider for the City of Des Moines, and because cellular phone service within MSC2 is extremely poor, the US Cellular local affiliate, USCOC of Greater Iowa, LLC has proposed to install and lease to the City of Des Moines at no cost to the City certain wireless telecommunications antenna repeaters and related equipment that will provide the necessary in-building wireless communication service; and

WHEREAS, the City’s Real Estate Division, in coordination with the City Information Technology Department, has negotiated a proposed In-Building Lease and Agreement (“Agreement”) with USCOC of Greater Iowa, LLC, for the design and installation of certain wireless telecommunications antenna repeaters and related equipment within MSC2, which Agreement will include a five (5) year initial term with automatic renewals for up to three (3) additional terms of five (5) years each.

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

1. The City Council of the City of Des Moines, Iowa, proposes to lease certain wireless telecommunications antenna repeaters and related equipment from the United States Cellular local affiliate, USCOC of Greater Iowa, LLC, for no cost to the City, in order to improve the in-building wireless communication service at MSC2, and further subject to all terms and conditions contained in the Lease Agreement.

2. A public hearing shall be held on January 23, 2023, at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time, the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

Please check the posted agenda in advance of the January 23, 2023 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

 **Roll Call Number**

Agenda Item Number

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- 3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
- 4. There are no proceeds associated with this action.

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
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

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.

Mayor

Laura Baumgartner, City Clerk

