



Roll Call Number

08-1109

Agenda Item Number

20

June 23, 2008

Date

APPROVING AN AMENDMENT TO AGREEMENT
WITH LIFE AND FIRE SAFETY (LAFS)

WHEREAS, the City of Des Moines is interested in promoting the general health and welfare of the public; and

WHEREAS, LAFS (Life And Fire Safety), Rickey Moody, President, is a non-profit corporation whose main purpose is to teach life and fire safety; and

WHEREAS, on October 9, 2006, by Roll Call No. 06-1989, the City and Team LAFS entered into a five year agreement in which LAFS agreed to provide educational programs about life and fire safety to children and the elderly in the Greater Des Moines area and the City agreed to provide certain maintenance and fuel assistance to and to cooperate with LAFS in providing these programs ("the Agreement"); and

WHEREAS, in 2001 the City acquired a Polk County grant to purchase a van and trailer for use by the LAFS program and the City holds the title to both vehicles ("the Vehicles"); and

WHEREAS, LAFS has used the Vehicles exclusively since 2001 and the Fire Chief and Risk Manager desire to limit the City's potential liability for use of the van by transferring such Vehicles to LAFS; AND

WHEREAS, LAFS has agreed to accept transfer of the Vehicles and that no city logos may be used on such Vehicles and to transfer ownership of such vehicles back to the city in the event of termination of LAFS or cessation for over six (6) months of the Life and Safety Program by LAFS; and

WHEREAS, the fair market value of the vehicles is approximately \$10,500.00 (\$9000.00 for the van and \$1500.00 for the trailer) and the value of the public education services provided to the citizens of Des Moines is at least equivalent to this amount, so that it is in the best interest of the City to transfer ownership of the Vehicles to LAFS and to enter into an amendment to the Agreement to facilitate such transfer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the value received from LAFS for the services provided to the citizens of Des Moines is at least equal to the fair market value of the above described vehicles.

(continued)

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BE IT FURTHER RESOLVED THAT the Amendment to Agreement between the City of Des Moines and LAFS, a copy of which is on file in the City Clerk's Office, is hereby approved and the Mayor is directed to sign said Amendment on behalf of the City and the City Clerk is directed to attest to his signature. The Fleet Services Manager is hereby directed and authorized to execute the transfer of title for such vehicles in accordance with the Amendment.

(Council Communication No. 08-366 attached)

MOVED BY Vlassis TO ADOPT.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| HENSLEY | ✓ | | | |
| KIERNAN | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MEYER | ✓ | | | |
| VLASSIS | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED

APPROVED

T. M. Franklin
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