



Roll Call Number

20-0905

Agenda Item Number

24

Date June 8, 2020

SET HEARING FOR APPROVAL OF AN AMENDMENT TO THE LEASE AGREEMENT WITH DRAKE UNIVERSITY FOR THE BUILDING LOCATED AT 1220 24TH STREET HOUSING THE POLICE DEPARTMENT TRAFFIC UNIT

WHEREAS, on January 28, 2008, by Roll Call No. 08-166, the City Council of the City of Des Moines, Iowa voted to approve a 3-year lease agreement ("Agreement") with Drake University for a building at 1220 24th Street (former post office), to house the Des Moines Police Department Traffic Unit; and

WHEREAS, the Agreement had an initial 3-year term and two additional 3-year terms, and automatic 3-year renewals thereafter, which have all expired but which Agreement has continued on a year to year basis; and

WHEREAS, Drake University and the City of Des Moines have mutually agreed to amend certain terms of the Agreement.

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 amend the Lease Agreement with Drake University for use of the building at 1220 24th Street as follows:

Term. The term of the Lease shall continue until March 1, 2021, without any possibility of renewals or extension thereof. (the "Termination Date").

2. A public hearing shall be held on June 22, 2020, at 5:00 p.m. Given Mayor Cownie's March 17, 2020 Proclamation Amendment prohibiting gatherings of ten or more persons on public property and the Section One of the Governor's May 26, 2020 Proclamation strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID19 outbreak and further given Section One Thirty Nine of the Governor's May 26, 2020 Proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, the City Council has determined that a meeting at a physical place is impossible or impracticable and all Council meetings for the time being will be conducted electronically with the public allowed to attend per the instructions below. Meeting minutes will continue to be provided per the City's normal course of business. To participate in the electronic meeting, access is available via the internet or telephonically (details below):

- To join the Zoom Meeting via the internet, access:
- https://zoom.us/j/94560100737?pwd=dENXUnI1YkFIMIZHUWZQM2NRVkljQT09
- Meeting ID: 945 6010 0737
- Password: 798755
To join telephonically:

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- One tap mobile:
 - 13126266799, 94560100737# US (Chicago)
 - +17209289299,94560100737# US (Denver)
- Dial by your location:
 - +1 312 626 6799 US (Chicago)
 - +1 720 928 9299 US (Denver)
 - 888 475 4499 US Toll-free
 - 833 548 0276 US Toll-free
 - 833 548 0282 US Toll-free
 - 877 853 5257 US Toll-free
- Meeting ID: 945 6010 0737
- Find your local number: <https://zoom.us/j/94560100737>

At that time, the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing. The City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. June 18, 2020 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

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.

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Moved by Gatto to adopt.

APPROVED AS TO FORM:

/s/
 Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

J. M. Frankhu Cowme
 Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik City Clerk