



Roll Call Number

24-0120

WITHDRAWN

Agenda Item Number

34

Date January 22, 2024

**RESOLUTION APPROVING FORM AND AUTHORIZING EXECUTION OF A LEASE WITH 1901 BELL AVE, LLC FOR USE OF 4,200 SQUARE FEET OF WAREHOUSE SPACE LOCATED AT 1901 BELL AVENUE BY THE DES MOINES POLICE DEPARTMENT FOR STORAGE OF IMPOUNDED VEHICLES**

**WHEREAS**, on February 27, 1995, by Roll Call No. 95-774, the City Council of the City of Des Moines voted to authorize a lease agreement between the City of Des Moines and Jann Realty, L.P. for 4,200 square feet of warehouse space in the building located at 1901 Bell Avenue; and

**WHEREAS**, 1901 Bell Ave, LLC, successor in interest to Jann Realty, L.P., now owns property located at 1901 Bell Avenue, Des Moines, Iowa; and

**WHEREAS**, City of Des Moines Police Department wishes to continue leasing the 4,200 square feet of warehouse space located at 1901 Bell Avenue for the purpose of storing vehicles that have been seized by the City and are subject to State forfeiture; and

**WHEREAS**, the Real Division has negotiated a commercial lease agreement (“Agreement”) with 1901 Bell Ave, LLC that includes, among others, the following terms:

- A term of Six (6) years;
- A rental rate of \$1,350.00 per month for the first year , and 5% increases each year after that:
 

|        |              |
|--------|--------------|
| Year 2 | \$ 1,417.50  |
| Year 3 | \$ 1,488.38  |
| Year 4 | \$ 1,562.80  |
| Year 5 | \$ 1,640.94  |
| Year 6 | \$ 1,723.00; |
- City may terminate the Agreement for any reason by providing thirty days’ written notice to 1901 Bell Ave, LLC; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, that the six-year lease agreement between 1901 Bell Ave, LLC and the City of Des Moines for 4,200 square feet of warehouse space located at 1901 Bell Avenue, recommended for approval and acceptance by the Real Estate Division of the Engineering Department and on file in the office of the City Clerk, be and is hereby approved and accepted.

That the City Clerk is hereby authorized and directed to endorse upon the Agreement the approval and acceptance of this Council; the Mayor is authorized and directed to sign the Agreement; and the City Clerk is further authorized and directed to deliver the aforementioned documents to the Real Estate Division Manager, who shall mail the original of the Lease Agreement and copies of the other documents to 1901 Bell Ave, LLC.

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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 |
|----------------|------|------|----------|--------|
| BOESEN         |      |      |          |        |
| VOSS           |      |      |          |        |
| COLEMAN        |      |      |          |        |
| WESTERGAARD    |      |      |          |        |
| MANDELBAUM     |      |      |          |        |
| GATTO          |      |      |          |        |
| TOTAL          |      |      |          |        |
| MOTION CARRIED |      |      | APPROVED |        |
|                |      |      |          | Mayor  |

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.

\_\_\_\_\_  
Laura Baumgartner, City Clerk