

February 9, 2009

Date

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION TO AUTHORIZE A LEASE AGREEMENT BETWEEN THE CITY OF DES MOINES AND TEXTRON FINANCIAL CORPORATION FOR THE RENTAL OF GOLF CARTS FOR A SIX MONTH PERIOD AND FOR 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 one-hundred and seventeen (117) golf carts to be used at the Waveland and Grandview Golf Courses by the Park and Recreation Department, said lease to be for an approximately six (6) month period, said lease calls for six (6) lease payments of \$12,365.73 each (with a total extended price of \$74,194.38) as authorized by Sections 364.4, 364.6 and 384.83 of the Code of Iowa.; and

WHEREAS, the Lease Agreement shall be payable solely and only out of the Golf Enterprise Fund; and

WHEREAS, before the Lease Agreement may be authorized, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the 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 this Council meet in the Council Chamber, City Hall, Des Moines, Iowa, at 5:00 o'clock P.M., on the 23rd day of February, 2009, for the purpose of taking action on the matter of the authorization of a Lease Agreement between the City of Des Moines and Textron Financial Corporation, 40 Westminster street, Providence, RI 02903 (Colby Marriott, Sales Representative), E-Z-GO Textron Inc., 1451 Marvin Griffin Road, Augusta, Georgia, 30609 (Kevin Holleran, President), for the rental of one-hundred and seventeen (117) golf carts to be used at the Waveland and Grandview Golf Courses, said lease to be for an approximately six (6) month period, said lease calls for six (6) lease payments per year of \$12,365.73 each (with an annual price of \$74,194.38), to be used by the Park and Recreation Department.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than four clear days nor more than twenty days before the date of said public meeting on the authorization of said Lease Agreement.

Section 3. The notice of the proposed action to authorize said Lease Agreement shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNCIL OF THE CITY OF DES MOINES, IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LEASE AGREEMENT BETWEEN THE CITY OF DES MOINES AND TEXTRON FINANCIAL CORPORATION

Date February 9, 2009

CITY OF DES MOINES AND TEXTRON FINANCIAL CORPORATION
 FOR THE RENTAL OF GOLF CARTS FOR A SIX (6) MONTH PERIOD, IN THE
 PRINCIPAL AMOUNT OF SIX LEASE PAYMENTS OF \$12,365.73 EACH
 (TOTAL PRICE OF \$74,194.38),
 AND FOR PROVIDING FOR PUBLICATION OF NOTICE THEREOF,
 AND THE HEARING ON THE AUTHORIZATION THEREOF.

PUBLIC NOTICE is hereby given that the Council of the City of Des Moines, Iowa, will hold a public hearing on the 23rd day of February, 2009 at 5:00 o'clock P.M., in the Council Chambers, City Hall, Des Moines, Iowa to take additional action for the authorization of a Lease Agreement between the City of Des Moines and Textron Financial Corporation in the principal amount of six lease payments of \$12,365.73 each (resulting in total rental payments of \$74,194.38), to pay costs of renting of one-hundred and seventeen (117) golf carts to be used at the Waveland and Grandview Golf Courses by the Park and Recreation Department. The Lease Agreement will be payable from the Golf Enterprise Fund.

At the above meeting the Council shall receive oral or written objections from any resident or property owners of said City to the above action. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action for the authorization of said Lease Agreement or will abandon the proposal.

This notice is given by order of the Council of Des Moines, Iowa, as provided in Sections 364.4, 364.6 and 384.83 of the Code of Iowa, as amended.

Dated this ___ day of February, 2009.

(Council Communication No. 09-054) 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