

**ITEMS TO INCLUDE ON AGENDA FOR DECEMBER 20, 2022**

**WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY**

Woodbury County Law Enforcement Center Authority.

- Public hearing on the proposal to amend the Lease Agreement with Woodbury County, Iowa.
- Resolution approving and authorizing execution of the First Amendment to the Lease Agreement with Woodbury County, Iowa.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE  
AUTHORITY.

December 20, 2022

The Board of Commissioners of the Woodbury County Law Enforcement Center Authority, met in open session, in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at 3:05 o'clock P.M., on the above date. There were present the following named Commissioners:

Ron Wieck, Rocky De Witt, Dan Moore

---

Absent: \_\_\_\_\_

\* \* \* \* \*

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the proposal to amend the Lease Agreement by and between Woodbury County, Iowa and the Woodbury County Law Enforcement Center Authority, and that notice of the proposed action by the Board to enter into said First Amendment of the Lease Agreement had been published.

The Chairperson then asked the Secretary whether any written objections had been filed to the proposed action. The Secretary advised the Chairperson and the Board that 0 written objections had been filed. The Chairperson then called for oral objections and 0 were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

**(Attach here a summary of objections received or made, if any)**

The Board then considered the proposed action and the extent of objections thereto.

Commissioner Moore introduced the following resolution entitled "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF THE FIRST AMENDMENT OF THE LEASE AGREEMENT WITH WOODBURY COUNTY, IOWA", and moved that the resolution be adopted. Commissioner De Witt seconded the motion to adopt. The roll was called and the vote was,

AYES: Wieck, De Witt, Moore

NAYS: \_\_\_\_\_

Whereupon, the Resolution was duly adopted as follows:

RESOLUTION APPROVING AND AUTHORIZING  
EXECUTION OF THE FIRST AMENDMENT OF THE LEASE  
AGREEMENT WITH WOODBURY COUNTY, IOWA

WHEREAS, the Woodbury County Law Enforcement Center Authority (the "Authority") and Woodbury County, State of Iowa (the "County") have heretofore entered into that certain Lease Agreement dated September 1, 2020 (the "Lease"); and

WHEREAS, it is now deemed necessary and advisable that the Authority should provide for the authorization of a First Amendment to the Lease (the "Amendment") with the County; and

WHEREAS, Iowa Code Section 346.27 provides that the Authority shall have and exercise certain public and essential governmental powers and functions including the right to lease all or any part of a building to an incorporating unit upon rental terms agreed upon between the Authority and the incorporating unit; and

WHEREAS, the Authority and County have negotiated the form of a proposed Amendment, which is intended to clarify that after the Commencement Date (as defined in the Lease) the County may place partitions, fixtures, furniture, equipment and make improvements and other non-structural alterations in the interior of the Facility (as defined in the Lease) at its own expense and that the County will own all such partitions, fixtures, furniture, equipment and improvements; and

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to approve and authorize execution of the Amendment and has considered the extent of objections received from residents or property owners as to said proposed Amendment; and, accordingly the following action is now considered to be in the best interests of the Authority and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY:


Section 1. That the performance by the Authority of its obligations under the Amendment, under the terms set forth in the Amendment, be and is hereby declared to be an appropriate and necessary undertaking of the Authority pursuant to Section 346.27, Code of Iowa.

Section 2. That the form and content of the Amendment, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Chairperson and the Secretary be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Amendment for and on behalf of the Authority in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Amendment, the Chairperson and the Secretary are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Amendment as executed.

PASSED AND APPROVED this 20th day of December, 2022.

  
\_\_\_\_\_  
Chairperson, Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Commissioners

