

ITEMS TO INCLUDE ON AGENDA FOR FEBRUARY 3, 2023

WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY

Woodbury County Law Enforcement Center Authority.

- Consider Conflict Waiver regarding Second Amendment to Lease Agreement with Woodbury County, Iowa.
- Resolution fixing date for a public hearing on the proposal to amend the Lease Agreement with Woodbury County, Iowa.

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

February 3, 2023

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 9:00 o'clock A .M., on the above date. There were present the following named Commissioners:

Ron Wieck, Rocky De Witt, Dan Moore

Absent: _____

* * * * *

Commissioner De Witt introduced the following resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO AMEND THE LEASE AGREEMENT WITH WOODBURY COUNTY, IOWA", and moved that the resolution be adopted. Commissioner Moore 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 FIXING DATE FOR A PUBLIC HEARING ON
THE PROPOSAL TO AMEND 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 originally dated September 1, 2020, as amended and substituted (the "Lease"); and

WHEREAS, it is now deemed necessary and advisable that the Authority should provide for the authorization of a Second Amendment to the Lease (the "Second 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 Second Amendment, which is intended to provide for the reimbursement of certain insurance expenses and to clarify the use of the Additional Rent and Maintenance Payments (as those terms are defined in the Lease); and

WHEREAS, the Second Amendment does not alter the Base Rent (as defined in the Lease) due per the terms of the Lease; and

WHEREAS, neither Section 346.27 nor any other Code provision sets forth any procedural action required to be taken before said Second Amendment can be approved, and the Authority hereby deems it sufficient if the action hereinafter described be taken and the Secretary of the Board of Commissioners causes to be published notice of the proposal and of the time and place of the meeting at which the Board of Commissioners proposes to take action thereon and to receive oral and/or written objections to such action; and

WHEREAS, the following action is now considered to be in the best interests of the Authority.

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

Section 1. That this Board of Commissioners meet in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at 9:05 A .M. on February 17, 2023, for the purpose of taking action on the matter of the proposal to amend the Lease with Woodbury County, Iowa.

Section 2. That the Secretary of the Board of Commissioners 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 Woodbury County, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING OF THE BOARD OF COMMISSIONERS OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY, ON THE MATTER OF THE PROPOSAL TO AMEND THE LEASE AGREEMENT WITH WOODBURY COUNTY, IOWA, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Commissioners of the Woodbury County Law Enforcement Center Authority, will hold a public hearing on February 17, 2023, at 9:05 A.M. in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at which meeting the Board of Commissioners proposes to take action on the proposal to authorize a Second Amendment to the Lease Agreement (the "Second Amendment") with Woodbury County, Iowa (the "County") said Lease Agreement originally dated September 1, 2020, as amended and substituted (the "Lease").

The Authority and County have negotiated the form of a proposed Second Amendment, which is intended to provide for the reimbursement of certain insurance expenses and to clarify the use of the Additional Rent and Maintenance Payments (as those terms are defined in the Lease). The Second Amendment does not alter the Base Rent (as defined in the Lease) due per the terms of the Lease.

A copy of the Second Amendment is on file for public inspection during regular business hours in the office of the Auditor of Woodbury County, Iowa.

At the above meeting the Board of Commissioners shall receive oral or written objections to the proposal to enter into the Second Amendment. After all objections have been received and considered, the Board of Commissioners will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Second Amendment.

This notice is given by order of the Board of Commissioners of the Woodbury County Law Enforcement Center Authority.

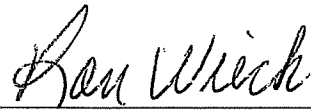
Dated this 3rd day of February, 2023.



Secretary, Woodbury County Law Enforcement Center Authority

(End of Notice)

PASSED AND APPROVED this 3rd day of February, 2023.



Chairperson, Board of Commissioners

ATTEST:



Secretary, Board of Commissioners

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned Secretary of the Board of Commissioners of the Woodbury County Law Enforcement Center Authority ("Authority"), do hereby certify that attached is a true and complete copy of the portion of the records of the Authority showing proceedings of the Board of Commissioners, and the same is a true and complete copy of the action taken by the Board of Commissioners with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board of Commissioners and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board of Commissioners (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Board of Commissioners and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective offices as indicated therein, that no vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the Authority or the right of the individual named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board of Commissioners hereto affixed this 3rd day of February, 2023.



Secretary, Woodbury County Law Enforcement
Center Authority