

ITEMS TO INCLUDE ON AGENDA FOR FEBRUARY 17, 2023

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 Second 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.

February 17, 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 9:05 o'clock A.M., on the above date. There were present the following named Commissioners:

Ron Wieck, Rocky De Witt, Dan Moore

Absent: _____

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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 Second 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 De Witt introduced the following resolution entitled "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF THE SECOND AMENDMENT OF 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 APPROVING AND AUTHORIZING
EXECUTION OF THE SECOND 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 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, 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 Second Amendment and has considered the extent of objections received from residents or property owners as to said proposed Second 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 Second Amendment, under the terms set forth in the Second 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 Second 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 Second 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 Second 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 Second Amendment as executed.

PASSED AND APPROVED this 17th 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.

17th WITNESS my hand and the seal of the Board of Commissioners hereto affixed this day of February, 2023.



Secretary, Woodbury County Law Enforcement
Center Authority