

ITEMS TO INCLUDE ON AGENDA FOR JULY 7, 2020

WOODBURY COUNTY, IOWA

Woodbury County, Iowa.

- Resolution fixing date for a public hearing on the proposal to enter into a Lease Agreement with the Woodbury County Law Enforcement Center Authority.

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

July 7, 2020

The Board of Supervisors of Woodbury County, State of Iowa, met in open session, in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:30 P.M., on the above date. There were present Chairperson Ung, in the chair, and the following named Board Members:

De Witt, Pottebaum, Radig

Absent: _____

* * * * *

Board Member Ung introduced the following resolution entitled "RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A LEASE AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY", and moved that the resolution be adopted. Board Member De Witt seconded the motion to adopt. The roll was called and the vote was,

AYES: Ung, De Witt, Pottebaum, Radig

NAYS: _____

Whereupon, the Resolution was duly adopted as follows:

#13,031
RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON
THE PROPOSAL TO ENTER INTO A LEASE AGREEMENT
WITH THE WOODBURY COUNTY LAW ENFORCEMENT
CENTER AUTHORITY

WHEREAS, it is deemed necessary and advisable that Woodbury County, State of Iowa, (the "County") should provide for the authorization of a Lease Agreement with the Woodbury County Law Enforcement Center Authority (the "Authority") for the purpose of construction and operation of a new law enforcement center facility as hereinafter described; 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 Lease Agreement (the "Lease") by and between the Authority and the County, which would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease and would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease; and

WHEREAS, neither Chapter 331 nor any other Code provision sets forth any procedural action required to be taken before said Lease can be approved, and pursuant to Section 331.301(5), Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the Woodbury County Auditor causes to be published notice of the proposal and of the time and place of the meeting at which the Board of Supervisors 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 County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA:

Section 1. That this Board of Supervisors meet in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at 4:45 P.M. on July 21, 2020, for the purpose of taking action on the matter of the proposal to enter into the Lease with the Woodbury County Law Enforcement Center Authority.

Section 2. That the Woodbury County Auditor 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 SUPERVISORS OF WOODBURY COUNTY, IOWA, ON THE MATTER OF THE PROPOSAL TO ENTER INTO A LEASE AGREEMENT WITH THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Woodbury County, Iowa, will hold a public hearing on July 21, 2020, at 4:45 P.M. in the Board Room, Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, at which meeting the Board of Supervisors proposes to take action on the proposal to enter into a Lease Agreement (the "Lease") with the Woodbury County Law Enforcement Center Authority (the "Authority").

The Lease would obligate the Authority to construct certain improvements to be operated by the County as a law enforcement center Facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease.

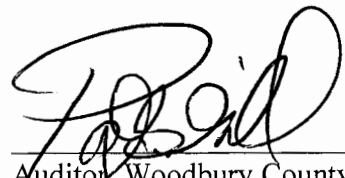
The Lease would obligate the County to make certain payments to the Authority as outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease.

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

This notice is given by order of the Board of Supervisors of Woodbury County, Iowa.

Dated this 7th day of July, 2020.



Auditor, Woodbury County, Iowa

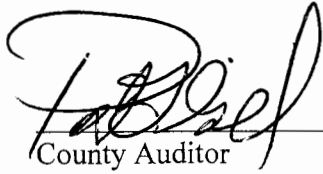
(End of Notice)

PASSED AND APPROVED this 7th day of July, 2020.



Chairperson

ATTEST:



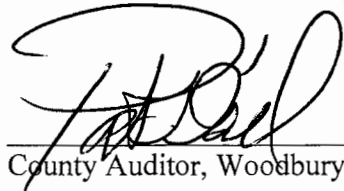
County Auditor

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned County Auditor of Woodbury County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board 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 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 pursuant to the local rules of the Board 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 County offices as indicated therein, that no Board 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 County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 7th day of July, 2020.



County Auditor, Woodbury County, Iowa