

# City Council Agenda Item Memo

**From:** John R. Thompson, Public Works Director

**Council Meeting:** January 23, 2024

**Subject:** Resolution 24-012: Intent to Lease Real Property to Ivy Center

**Person(s) Responsible:** John R. Thompson, Public Works Director

## **Summary:**

The proposed resolution will authorize the City Manager to execute a zero-dollar land lease with the East Central Mental Health and Chemical Dependence Center, a South Dakota privately owned non-profit 501(c)(3), doing business as Brookings Behavior Health and Wellness Center (Ivy Center). The lease term will be for approximately eighteen (18) months, with the option to extend for an additional two (2) months. Staff recommends approval.

## **Background:**

The Ivy Center has requested to lease real property on the south end of the City's 72-hour public parking lot, located along 3<sup>rd</sup> Avenue. The Ivy Center intends to utilize the leased property as a material staging area for their facility expansion, starting in April 2024. The approximate lease area is shown on the attached location map and includes 11 parking stalls and 2 ADA stalls. The Ivy Center has indicated their contractor will need the entire defined area at the start of construction; however, once the structural framing is complete, the contractor will make an effort to open the parking stalls back up for public parking. The 2 ADA designated parking stalls are remnants of the old food pantry and are non-complaint. Staff is currently considering a new location for the ADA stalls.

The proposed lease does not include any consideration or rent as the Ivy Center provides essential behavioral health and wellness services to the residents of the city.

## **Item Details:**

A public hearing is required as per SDCL 9-12-5.2 to lease city owned property to a private person or organization. This public hearing along with the public notice, posted on Friday, January 12, 2024 satisfies the requirements of the South Dakota State Codified law.

The proposed resolution provides authority for the City Manager to execute a zero-dollar land lease with the Ivy Center, effective April 1, 2024. The lease term will be for approximately 18 months with an option to extend for 2 additional months. The lease will authorize the Ivy Center to utilize the property as a material staging area and require the Ivy Center to restore the property to pre-lease conditions, at the termination of the lease.

## **Legal Consideration:**

The proposed lease has been reviewed by the City Attorney.

**Strategic Plan Consideration:**

Sustainability -- The expansion of the Ivy Center will help to ensure essential behavioral health and wellness services are available to our growing community.

**Financial Consideration:**

There is no cost or revenue associated with the recommended action.

**Options and Recommendation:**

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a work session
5. Discuss / take no action / table

Staff recommends approval.

**Supporting Documentation:**

Resolution

Notice

Location Map