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Date March 12, 2007

**Set Date of Public Hearing for Approval of the Second
Amendment to Lease Agreement with United Parcel Service
Inc. for Property Located at 3251 Army Post Road**

WHEREAS, the City of Des Moines owns and operates an airport known as Des Moines International Airport (hereinafter called the "Airport"), located in Des Moines, Polk County, Iowa; and

WHEREAS, on September 20, 1993, by Roll Call No. 93-3490, the Des Moines City Council approved Ordinance 12,040 assigning certain rights and responsibilities pertaining to the Airport to the Des Moines International Airport Board (hereinafter called the "Board"), including the right to enter into leases up to three years in duration and certain other agreements; and

WHEREAS, on February 5, 2002, by Resolution No. A02-27, the City of Des Moines, by action of the Airport Board, entered into a Lease Agreement with United Parcel Service Inc. (UPS) to lease property at 3251 Army Post Road; and

WHEREAS, on December 8, 2003, by Roll Call No. 03-2787, the City of Des Moines and UPS entered into the First Amendment to Lease Agreement for the property located at 3251 Army Post Road; and

WHEREAS, UPS has requested to extend the termination date of the Lease Agreement until December 31, 2014; and

WHEREAS, the Aviation Department staff and UPS have negotiated a Second Amendment to the Lease Agreement to extend the expiration date of the Agreement and address certain maintenance items, and

WHEREAS, on March 6, 2007 by Resolution A07-40 the Des Moines International Airport Board recommended City Council approval of the Second Amendment to the Lease Agreement with UPS for property at 3251 Army Post Road,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That this City Council meet in the Council Chambers, City Hall, City of Des Moines, Iowa, at 5:00 p.m. on the 26th day of March 2007 for the purpose of taking action on the matter of the approval of the Second Amendment to a Lease

Date March 12, 2007

Agreement at the Des Moines International Airport with UPS for property located at 3251 Army Post Road; and

2. That the proposed Second Amendment to the Lease Agreement is on file with the City Clerk; and,
3. That Notice of said proposal be given by publication not less than four (4) nor more than twenty (20) days before the date of the public hearing, all as specified in Iowa Code sections 364.7 and 362.3 ; and
4. That the Notice above referred to shall be in the form hereto attached, and
5. That the City Clerk is hereby authorized and directed to publish the Notice above referred to in Paragraph 3.

Moved by _____ to adopt.

Approved as to form:


 David A. Ferree
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk