

★ **Roll Call Number**

**Agenda Item Number**

69

.....  
**Date** June 18, 2007

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**Approval of a Commercial Operator Lease and  
Agreement with MidAmerica Jet Center for Services at  
the Des Moines International Airport**

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

WHEREAS, on July 6, 1987, by Roll Call, 87-2826, City Council approved a twenty year Commercial Operator and Lease Agreement with Allied Mutual Insurance Company for a one acre parcel on the Airport to allow Allied Mutual to build a corporate hangar and related facilities to conduct commercial operations.

WHEREAS, on May 23, 1988, by Roll Call No. 88-2386, City Council accepted conveyance of the substantially completed building to the City of Des Moines.

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 "Airport Board"), including the right to enter into leases up to three years in duration and other certain agreements; and

WHEREAS, on January 3, 1995, by Roll Call No. 95-112, City Council approved the Assignment of Agreement to from Allied Mutual Insurance Company MidAmerica Transportation Inc, a/k/a MidAmerica Jet Center, Inc.; and

WHEREAS, the current Agreement is set to expire on June 30, 2007 under its own terms; and

WHEREAS, MidAmerica Jet Center and the Airport have reached agreement regarding the terms of a new Agreement; and

WHEREAS, Airport staff and MidAmerica Jet Center have determined that an Agreement with a ten year term would be most appropriate to address both parties' needs; and

WHEREAS, the Agreement is greater than three years and therefore requires approval by Des Moines City Council; and

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WHEREAS, on June 4, 2007, by Roll Call No. 07-1072, City Council directed the City Clerk to publish the notice of said proposal to set a date of public hearing for June 18, 2007; and

WHEREAS, on June 5, 2007 by Resolution A07-99, the Des Moines International Airport Board recommended City Council approval of a Commercial Operator Lease and Agreement with MidAmerica Jet Center of Des Moines; and

WHEREAS, the City Clerk published said notice on June 7, 2007; and

WHEREAS, pursuant to Sections 364.7 and 362.3 of the Code of Iowa, notice of the hearing on the proposed approval of the Commercial Operator Lease and Agreement between the City of Des Moines and MidAmerica Jet Center for property and other rights at the Des Moines International Airport has been duly published as provided by law; and

WHEREAS, the public meeting and hearing has been duly held at the time and place provided and in accordance with said notice, those interested in said Agreement with MidAmerica Jet Center, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the City of Des Moines has determined that such Commercial Operator Lease and Agreement would be advantageous and beneficial to the City; and

WHEREAS, the City Council deems it advisable to act favorably and finally upon said Agreement; NOW THEREFORE

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

That the Agreement between the City of Des Moines and MidAmerica Jet Center is approved and the Mayor is authorized to execute the Agreement with attestation by the City Clerk

(Council Communication 07-373 is attached.)

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				
<b>TOTAL</b>				
<b>MOTION CARRIED</b>			<b>APPROVED</b>	

**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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk