

Date: September 28, 2009

APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR AIRFIELD NAVIGATIONAL AID FACILITIES (NAVAID) AT THE DES MOINES INTERNATIONAL AIRPORT

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

WHEREAS, Chapter 22 of the Municipal Code of the City of Des Moines delegates certain rights and responsibilities pertaining to the operation of the Airport to the Des Moines International Airport Board (the "Board"), including the right to enter into leases and certain other agreements for the use of Airport property with terms of not more than three years in duration; and

WHEREAS, , the Federal Aviation Administration (FAA) has requested the City to enter into a Memorandum of Agreement Number DTFASW-10-L-00043, for a term of 20 years, to construct, operate and maintain FAA navigation, communication and weather aid facilities on the airfield; and

WHEREAS, because the term of the proposed Agreement is scheduled to operate for a period of greater than three years, it requires approval of the Des Moines City Council; and

WHEREAS, the Airport Board, through Resolution A09-154, recommended that the Council approve the Agreement with the FAA; and

WHEREAS, notice of the proposed Agreement was given by publication as specified in Iowa Code sections 364.7 and 362.3; and

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

WHEREAS, it is in the best interests of the City to approve the Agreement.

★ Roll Call Number

Agenda Item Number

60

Date: September 28, 2009

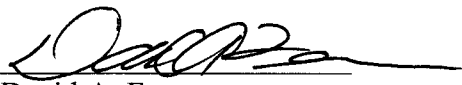
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

That (1) upon due consideration of the facts and statements of interested persons, the objections, if any, to the proposed Agreement between the City of Des Moines and the United States Federal Aviation Administration are hereby overruled; (2) the Agreement is hereby approved; (3) the Mayor is hereby authorized and directed to sign the Agreement; and (4) the City Clerk is to attest to the Mayor's signature.

Moved by _____ to adopt.

Approved as to form:

(Council Communication No. 09-676)


David A. Ferree
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

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.

MOTION CARRIED APPROVED

Mayor

City Clerk