

Date: October 12, 2009

APPROVAL OF THE FIRST AMENDMENT TO THE OPERATING AGREEMENT AND TERMINAL LEASE WITH DELTA AIRLINES INC 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 for the use of Airport property with terms of not more than three years in duration; and

WHEREAS, the Scheduled Airline Operating Agreement and Terminal Lease (the "Agreement") being for a duration of greater than three years, requires Des Moines City Council approval; and

WHEREAS, the Airport Board, through Resolution A09-179, on October 6, 2009, recommended that the Council approve the First Amendment to the Agreement with Delta Airlines Inc.; and

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 October, 2009, for the purpose of taking action on the matter of approving the First Amendment to the Delta Scheduled Airline Operating Agreement and Terminal Lease;
2. That the proposed First Amendment be filed with the City Clerk;
3. That notice of the 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 City Clerk is hereby authorized and directed to publish the notice as provided above.

APPROVED AS TO FORM:

Moved by _____ to adopt.


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