

★ **Roll Call Number**

Agenda Item Number

39C

.....
Date October 10, 2011

APPROVING ASSIGNMENT AND ASSUMPTION AGREEMENT RE: GRANT AGREEMENTS

WHEREAS, on December 20, 2010, the City Council set a date of hearing on a proposal to create an airport authority pursuant to Iowa Code chapter 330A and the notice of hearing was published on December 24, 2010, in the Des Moines Register; and

WHEREAS, on January 10, 2011, the City Council held a hearing on the proposal to create an airport authority and by Resolution No. 11-0064 the City Council determined it to be in the best interests of the city to proceed with creation of an airport authority; and

WHEREAS, the City Council on February 14, 2011, adopted Ordinance No. 14,989 creating the Des Moines Airport Authority in accordance with Iowa Code chapter 330A; and

WHEREAS, the Council on September 12, 2011, by Resolution No. 11-1606, set hearing for October 10, 2011, on a proposal to enter into:

- a. an Agreement Between the City of Des Moines and the Des Moines Airport Authority for the Provision of City Services ("Services Agreement");
- b. a Lease and Asset Transfer Agreement with the Des Moines Airport Authority which leases all airport land and transfers all other city owned aviation facilities to the Des Moines Airport Authority
- c. an Assignment and Assumption Agreement Re: Grant Agreements which grants, conveys, transfers and assigns to the Authority all of the City's rights, titles, interests and obligations in, to and under Grant Agreements with the Federal Aviation Administration; and

WHEREAS, notice of the hearing was published in the Des Moines Register on September 22, 2011; and

WHEREAS, the hearing has been duly held on this date and the public given an opportunity to give input on the proposal; and

WHEREAS, the Council finds it to be in the best interests of the City to proceed with approving the Assignment and Assumption Agreement.

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

1. The Assignment and Assumption Agreement Re: Grant Agreements is approved subject to legal review.
2. The Mayor is authorized and directed to sign the agreements on behalf of the City of Des Moines and the City Clerk to attest to the Mayor's signature.

(Council Communication 11-638 is attached.)

Moved by _____ to adopt.

Approved as to form:



David A. Ferree
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	

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