



Roll Call Number

Agenda Item Number

35

Date October 24, 2016

APPROVING EXTENSION OF AGREEMENT WITH AIRPORT AUTHORITY

WHEREAS, the City provides services to the Des Moines Airport Authority pursuant to an Agreement dated November 1, 2011; and

WHEREAS, the Airport Authority terminated the Agreement effective October 31, 2016 with the intent of negotiating a new agreement to provide services; and

WHEREAS, the City and the Airport Authority are in the process of negotiating a new agreement, but are unlikely to finalize the terms of the agreement by October 31, 2016; and

WHEREAS, the Airport authority has requested an extension of the existing agreement for an additional month, to and including November 30, 2016, notwithstanding the termination date; and

WHEREAS, the City is willing to extend the existing agreement for an additional month to facilitate negotiations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the attached Agreement is hereby approved and the Mayor is authorized and directed to execute the Amendment on behalf of the City.

APPROVED AS TO FORM:

Moved by _____ to adopt.

Handwritten signature of Thomas G. Fisher Jr.

Thomas G. Fisher Jr. Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and 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

**AMENDMENT TO AGREEMENT BETWEEN THE CITY OF DES MOINES AND THE
DES MOINES AIRPORT AUTHORITY FOR THE PROVISION OF CITY SERVICES**

This Amendment is made as of the 18 day of October, 2016 by and between the City of Des Moines, Iowa, municipal corporation, and the State of Iowa (the "City") and the Des Moines Airport Authority, an airport authority organized under Iowa Code Chapter 330A (the "Authority").

WHEREAS, the City and the Authority entered into an Agreement between the City of Des Moines and the Des Moines Airport Authority for the provision of City services dated November 1, 2011 pursuant to which the City agreed to provide certain services to the Authority; and

WHEREAS, on October 28, 2015, the Authority notified the City of the termination of the Agreement pursuant to its terms effective October 31, 2016; and

WHEREAS, the City and the Authority are presently engaged in negotiations with the intent of entering into a new services agreement, but have not completed those negotiations; and

WHEREAS, both the City and the Authority require additional time to complete their negotiations.

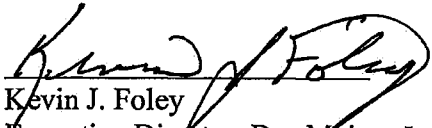
THEREFORE, the parties agree as follows:

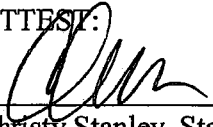
1. Article 1 of the Agreement is amended to state:

This agreement terminates on November 30, 2016.

2. In all other respects, the Agreement shall otherwise remain in full force and effect as amended in Supplement No. 2 dated February 15, 2016.

DES MOINES AIRPORT AUTHORITY

By: 
Kevin J. Foley
Executive Director, Des Moines International Airport

ATTEST:

Christy Stanley, Staff Assistant Secretary

STATE OF IOWA)
) SS:
COUNTY OF POLK)

This instrument was acknowledged before me on October 18, 2016, by Kevin J. Foley and Christy Stanley as the Executive Director and Staff Assistant Secretary, respectively, of the Des Moines Airport Authority by authority of a Resolution adopted by the Board on October 11, 2016.

Tara A. Ely
Notary Public in the State of Iowa
CITY OF DES MOINES, IOWA



By: _____
T. M. Franklin Cownie, Mayor

ATTEST:

Diane Rauh, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF POLK)

On this _____ day of _____, 2016, before me, the undersigned, a Notary Public, personally appeared T.M. Franklin Cownie and Diane Rauh, to me personally known, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Des Moines, and that the seal affixed to the foregoing instrument is the seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of and pursuant to Roll Call _____ adopted by the City Council on the _____ day of _____, 2016, and that T.M. Franklin Cownie and Diane Rauh, acknowledged the execution of the instrument to be the voluntary act and deed of the City of Des Moines, by it voluntarily executed.

Notary Public in the State of Iowa

Approved as to Form:

Thomas G. Fisher Jr.
Thomas G. Fisher Jr., Assistant City Attorney