



Roll Call Number

Agenda Item Number

45

Date July 24, 2017

APPROVING SEVENTH 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 have not finalized the terms of the agreement; and

WHEREAS, during the negotiations, the City and the Airport Authority have agreed to six extensions of time, extending the term of the agreement to July 31, 2017; and,

WHEREAS, the Airport authority has requested a seventh extension of the existing agreement for an additional month, to and including August 31, 2017, 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 extension 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.

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

**SEVENTH 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 11<sup>th</sup> day of July, 2017 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.

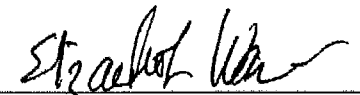
THEREFORE, the parties agree as follows:

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

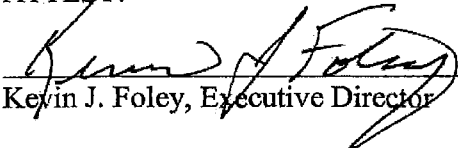
This agreement terminates on August 31, 2017.

- 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:   
Elizabeth Ward  
Chairperson, Des Moines Airport Authority

ATTEST:

  
Kevin J. Foley, Executive Director