

Date December 18, 2017

**RECEIVE AND FILE COMMUNICATION FROM THE DES MOINES AIRPORT
AUTHORITY BOARD RECOMMENDING THE SALE OF EXCESS CITY-OWNED
REAL PROPERTY LOCATED AT THE NORTHWEST CORNER OF MCKINLEY
AVENUE AND SOUTHWEST 31ST STREET AND SET HEARING FOR CONVEYANCE
OF SUCH PROPERTY TO JOHN P. BRASWELL FOR \$40,000**

WHEREAS, the Des Moines Airport Authority Board has been approached by John P. Braswell, for the sale of excess City-owned real property located at the northwest corner of McKinley Avenue and Southwest 31st Street, Des Moines, Iowa (“Property”), more particularly described herein, to allow for redevelopment of the property; and

WHEREAS, said Property is currently owned by the City of Des Moines, Iowa (“City”) and leased to the Des Moines Airport Authority (“DMAA”); and

WHEREAS, on December 12, 2017, by Roll Call No. 3B, the DMAA Board recommended the City proceed with the proposed sale of said Property; and

WHEREAS, on November 8, 2017, subject to obtaining a noise and aviation easement, the Federal Aviation Administration has approved of the proposed sale of said Property and issued a Deed of Release; and

WHEREAS, John P. Braswell has offered the City of Des Moines \$40,000 for the purchase of the Property, subject to the terms and conditions contained in the Offer to Purchase Real Estate from the City of Des Moines and Acceptance, including easements for noise, aviation, and existing utilities, which price reflects the fair market value of the Property as determined by an independent appraisal; and

WHEREAS, the City has no known current or anticipated public need for the Property proposed to be sold and the City will not be inconvenienced by the sale of said Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The City Council of the City of Des Moines, Iowa, hereby receives and files the recommendation from the Des Moines Airport Authority to sell the excess City-owned real property located at the northwest corner of McKinley Avenue and Southwest 31st Street, Des Moines, Iowa.
2. The City Council of the City of Des Moines, Iowa, proposes to sell the excess City-owned real property located at the northwest corner of McKinley Avenue and Southwest 31st Street, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below, subject to obtaining both noise and aviation easements therein and a reservation of easements

.....
Date December 18, 2017

therein, and further subject to the terms and conditions contained in the Offer to Purchase Real Estate from the City of Des Moines and Acceptance:

Grantee: John P. Braswell

Consideration: \$40,000.00

Legal Description: PARCEL A, AS DEPICTED IN THE PLAT OF SURVEY RECORDED ON MAY 19, 2014 IN BOOK 15189, PAGE 475 IN THE OFFICE OF THE POLK COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF LOTS 2, 3, 4, & 5 AIRPORT HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00°14'58" WEST, A DISTANCE OF 156.64 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF MCKINLEY AVENUE, AS PRESENTLY ESTABLISHED, SAID POINT ALSO BEING A POINT OF CUSP ON A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 763.50 FEET AND A CENTRAL ANGLE OF 24°02'55" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 65°20'37" WEST 318.12 FEET; THENCE WESTERLY AND NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE, A DISTANCE OF 320.46 FEET; THENCE NORTH 00°11'57" EAST, A DISTANCE OF 25.11 FEET; THENCE SOUTH 89°45'58" EAST, A DISTANCE OF 289.71 FEET TO THE POINT OF BEGINNING, CONTAINING 0.69 ACRES, MORE OR LESS, AND SUBJECT TO ANY OTHER EASEMENTS OR RESTRICTIONS OF RECORD.

3. A public hearing shall be held on January 8, 2018, at 5:00 p.m. in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa. At that time, the City Council will consider the above-described proposals and any other(s) submitted prior to or during the public hearing.
4. The City Clerk is hereby authorized and directed to publish notice of said proposals and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
5. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090, and upon deposit, shall be reimbursed to the Des Moines Airport Authority in accordance with federal law.

★ Roll Call Number

Agenda Item Number

20

Date December 18, 2017

MOVED by _____ to adopt.

Approved as to Form:

Lisa A. Wieland

Lisa A. Wieland, Assistant City Attorney

BW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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

**DES MOINES AIRPORT AUTHORITY BOARD
SUMMARY MINUTES OF REGULAR MEETING
Des Moines International Airport
Board Room
December 12, 2017**

Call to Order and Roll Call: 9:00 a.m.

Chaired by: Ms. Levy

Present: Mr. Christensen, Mr. Feldmann, Ms. Lauridsen Sand, Ms. Levy, and Ms. Ward (attended by phone)

A17-181 Consider Minutes for November 14, 2017, Meeting

Mr. Feldmann moved to approve the Minutes for the November 14, 2017, Meeting. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A17-182 Consider Director Salary Recommendations

The Executive Director reported that the Compensation Committee met on December 8, 2018, to discuss 2018 compensation of Directors. The Executive Director recommended a salary increase for the Director of Engineering, Director of Operations, and Director of Finance. If approved, total salaries would increase from \$408,578 to \$419,434 effective January 1, 2018.

Mr. Feldmann moved to approve the Executive Directors' recommended salary increases for the Directors. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A17-183 Consider a Form of the Offer to Purchase and Acceptance with John P. Braswell for sale of property, Tract 8E, Parcel "A" and Third Amendment to the Real Estate Lease and Asset transfer Agreement

The Director of Engineering reported that in the March 14, 2017 Airport Authority Board meeting, the Board recommended that the Des Moines City Council proceed with the sale of a specific property, Tract No. 8E, Parcel A, 0.69 acres, to John P. Braswell for \$40,000.00. The Director of Engineering stated that a Real Estate Lease and Asset Transfer Agreement ("Lease") between the City of Des Moines, Iowa and the Des Moines Airport Authority currently encumbers this track. As a condition of the Offer to Purchase, an amendment to the Lease excluding this track is required. Both Exhibit A and Exhibit B attached to said Lease would be updated to reflect this change.

The Director of Engineering recommended the Board approve the following:

- A. Approve the form of the Offer to Purchase and Acceptance for the parcel, including noise and avigation easements.

Mr. Feldmann moved to approve the form of the Offer to Purchase and Acceptance for the parcel, including noise and avigation easements.

Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

- B. Recommend to the City of Des Moines, Iowa, to proceed with the sale of property, Tract 8E, No. 120/00006-009-002 to John P. Braswell.

Mr. Feldmann moved to approve a recommendation to the City of Des Moines, Iowa, to proceed with the sale of property, Tract 8E, No. 120/00006-009-002 to John P. Braswell. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

- C. Approve the Third Amendment to Lease Agreement between City of Des Moines and Des Moines Airport Authority pending the approved sale of Tract No. 8E by the Des Moines City Council.

Mr. Christensen moved to approve the Third Amendment to Lease Agreement between City of Des Moines and Des Moines Airport Authority pending the approved sale of Tract No. 8E by the Des Moines City Council.

Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A17-184 Consider Amendment Number 12 to the Agreement Between the City of Des Moines and the Des Moines Airport Authority for the Provision of City Services

The Executive Director reported that he would meet with Scott Sanders, City Manager, to discuss the Agreement on December 13, 2017.

The Executive Director recommended approval of Amendment Number 12 to the agreement between the City of Des Moines and the Des Moines Airport Authority for the Provision of City Services, extending the termination date to January 31, 2018.

Mr. Feldmann moved to approve Amendment Number 12 to the Agreement between the City of Des Moines and the Des Moines Airport Authority for the Provision of City Services, extending the termination date to January 31, 2018.

Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A17-185

Consider Task Order No. 40 with Foth Infrastructure and Environment, LLC for design of Cargo Facility No. 32 relocation (Director of Engineering)

The Director of Engineering reported the following:

- This design would relocate the air cargo operations that are currently functioning within Building 32.
- The relocation of these cargo operations to a new facility will allow for the consolidation of all air cargo operations to the northeast cargo apron, opening up the southwest side of the cargo apron for general aviation development.
- The scope of services to be performed by the Consultant with this task order includes detailed work, services, materials, equipment and supplies necessary to provide plans and specifications and letting services for the construction of this air cargo facility, site improvements, associated mechanical, electrical, and plumbing services, and demolition of existing facilities at the Des Moines International Airport.
- Through this task order, the Consultant will provide the necessary plans and specifications to produce construction documents.
- The contract to provide this service is for \$461,950.00.
- The project is part of the enabling projects identified for the new terminal and identified within the FY 2018 budget.

The Director of Engineering recommended that the Board approve Task Order No. 40 with Foth Infrastructure and Environment, LLC for design of Cargo Facility No. 32 relocation and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

Mr. Feldmann moved to approve Task Order No. 40 with Foth Infrastructure and Environment, LLC for design of Cargo Facility No. 32 relocation and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

A17-186

Consider the Fourth Amendment to the Airline Operating and Use Agreement

The Director of Finance reported the Authority provided all passenger and cargo airlines with the Fourth Amendment to the Airline Operating and Use Agreement. The amendment extends the end date of the agreement to December 31, 2018. As of the current date, Southwest and United Parcel Service have returned their amendments.

The Director of Finance recommended that the Board approve the Fourth Amendment to the Airline Operating and Use Agreement and authorize the Board Chairperson to sign remaining amendments as returned by the airlines.

Mr. Christensen moved to approve the Fourth Amendment to the Airline Operating and Use Agreement and authorize the Board Chairperson to sign remaining amendments as returned by the airlines. Mr. Feldmann seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

At 9:14 a.m., Ms. Ward left the meeting (via telephone) and returned (via telephone) at 9:15 a.m.

A17-187 Financial Report

The Director of Finance reported that expenses are close to budget and that income is ahead of budget. Restaurant income was down due to expenses related to the opening of the new restaurant. Overall, revenue is on track for the year. The Director of Finance stated that he expects the cash budget to end up slightly ahead of this year's projection.

The Executive Director reported that the Authority anticipates fully reimbursing the construction costs for the food/beverage concessions this year since the budget is in good shape. The original plan entailed monthly reimbursement over a twelve-month period. Full payment now eliminates interest payments.

A17-188 Briefing

The Executive Director asked the Board to put the following dates on their calendars as follows:

- January 9, 2018
 - The Authority would like to hold a grand opening for the concessions after the board meeting. Press will be invited to tour the new restaurants and Hudson shops as well as sample food/beverage.
- January 16-19, 2018
 - A Global Entry event will take place at the airport. Appointments need to be set up ahead of time after paperwork is completed. The Authority plans to distribute information about this event once the Authority has the scheduling information.

The Executive Director shared a reminder that Southwest will begin direct flights to Phoenix January 13, 2017.

The Executive Director reported that the taxi RFP is out. All of the taxi operators received emails and letters notifying them of the RFP. A mandatory meeting is set for December 19, 2017.

The Executive Director shared the November 2017 passenger statistics and stated that he expects the airport to set another passenger traffic record this year.

The Executive Director reported that Weber Shandwick's priorities are the grand opening and the global entry event. During the last month, Weber Shandwick promoted premium long-term parking, holiday travel tips, and the TSA PreCheck event.

The Executive Director asked the Board to advise him if there are any conflicts for the March 13, 2018, meeting due to spring break.

A17-189

Adjourn

Mr. Feldmann moved to adjourn the meeting. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Feldmann, Lauridsen Sand, Levy, and Ward; Nays: 0; Abstained: 0; Absent: 0.

The meeting adjourned at 9:27 a.m.

Respectfully Submitted:



Mark Feldmann
Secretary/Treasurer



Mary Benson
Board Clerk

