



Date July 15, 2024

**APPROVAL OF 28E AGREEMENT BETWEEN THE CITY OF DES MOINES, IOWA
and THE DES MOINES AIRPORT AUTHORITY**

WHEREAS, the Authority manages and operates the Des Moines International Airport (hereinafter “Airport”) pursuant to a long term lease with the City and Chapter 22 of the City’s municipal code; and

WHEREAS, Sec. 22-56 of the Des Moines municipal code provides City ordinances are enforceable to the extent they are applicable on Airport property and Sec. 22-55 states Authority regulations have the effect of law and may be charged as municipal infractions or simple misdemeanors; and

WHEREAS, the Authority rules and regulations provide parking violations at the Airport may be charged on a simple notice of fine as provided in the City’s municipal code; and

WHEREAS, Sec. 114-485.04 of the Des Moines municipal code authorizes “designated personnel” to issue parking citation-complaints within the City; and

WHEREAS, through this 28E agreement, the parties seek to exercise their joint power to issue parking tickets and permit designated Authority employees to issue City of Des Moines parking citation-complaints for parking violations at the Airport: and

WHEREAS, each party shall be responsible for its own expenses related to the performance of this agreement with parking citation-complaints being issued and prosecuted consistent with the procedures outlined in Sec. 114-485.01 – 114-485.09 of the City’s municipal code, as may be amended from time to time. Such citation/complaints shall be placed on file with the city clerk and shall name the City as Plaintiff. The City shall be entitled to retain all fines related to parking violations charged by Authority personnel.

NOW, THEREFORE, BE IT RESOLVED by the City of Des Moines, Iowa City Council, the 28E Agreement between the City of Des Moines and the Des Moines Airport Authority is hereby accepted and adopted with the Mayor authorized to execute the agreement with the City Clerk to attest to the Mayor’s signature with the City Manager or his designee to carry out the terms of the agreement.



Roll Call Number

Agenda Item Number

50

Date July 15, 2024

Moved by _____ to adopt.

Second by _____.

Approved as to form:

/s/ Meg Norberg

Megan Norberg
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| BOESEN | | | | |
| COLEMAN | | | | |
| GATTO | | | | |
| MANDELBAUM | | | | |
| SIMONSEN | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |

CERTIFICATE

I, Laura Baumgartner, 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