

★ Roll Call Number
08-1437

Agenda Item Number
31

Date August 11, 2008

WHEREAS, the City of Des Moines owns and operates an airport known as Des Moines International Airport (hereinafter called the "Airport"), located in Des Moines, Polk County, Iowa; and,

WHEREAS, on September 20, 1993, by Roll Call No. 93-3490, the Des Moines City Council approved Ordinance 12,040 assigning certain rights and responsibilities pertaining to the Airport to the Des Moines International Airport Board (hereinafter called the "Board"), including the right to enter into leases up to three years in duration and certain other agreements; and,

WHEREAS, on February 1, 1982, by Roll Call No. 82-442, the City of Des Moines entered into an Amended Fixed Base Operator Lease with Des Moines Flying Service for certain premises, facilities and rights, all of which relate to City's ownership and operation of the Airport; and,

WHEREAS, on June 15, 1987, by Roll Call No. 87-2632, the Des Moines City Council, approved the assignment by Des Moines Flying Service of its interests in the Original Lease to Van Dusen Airport Services Company, Limited Partnership. In order to facilitate Lessee's construction of a corporate hangar, the parties entered into a "First Amendment" to Lease Agreement on June 22, 1987; and,

WHEREAS, on September 26, 1988, by Roll Call No. 88-4353, City Council approved the "Second Amendment" further modifying certain terms of the Agreement; and,

WHEREAS, on September 24, 1990, through Roll Call No. 90-4292, City Council approved Assignment of Lease assigning the Agreement from Van Dusen Airport Services Company, Limited Partnership, to Page Avjet Airport Services, Inc., whose name was subsequently changed to Signature Flight Support Corporation; and,

WHEREAS, on December 21, 1998, by Roll Call No. 98-3934 the City of Des Moines entered into a "Third Amendment to Amended Lease Agreement" which the Des Moines City Council approved; and,

WHEREAS, the Des Moines International Airport desires to reclaim a portion of the leased area for use by the Airport and both parties have reached preliminary agreement that Lessee will relinquish to Lessor possession of a certain portion of the Lease Premises and Lessor will reduce the rent accordingly; and,

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WHEREAS, on August 5, 2008, the Airport Board by Resolution A08-154 deemed it to be in the best interest of the Airport and recommended to the City Council approval of Amendment No. 4 to the Amended Fixed Base Operator Lease Agreement; and,

WHEREAS, the City Council deems it advisable to act favorably and finally upon the Amendment.

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

That Amendment No. 4 to the Amended Fixed Base Operator Lease Agreement Signature Flight Support Corporation is approved and the Mayor is authorized to execute the Agreement with attestation by the City Clerk.

(Council Communication No. 08-500)

Moved by Hensley to adopt.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin 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.

Diane Rauh

City Clerk