

★ Roll Call Number

10-035

Agenda Item Number

17B

Date: January 11, 2010

**Setting Date of Hearing on Assignment of Commercial Operator Lease and Agreement
from Mid-America Transportation Inc. dba Mid-America Jet Center to Elliott Aviation of
Des Moines, Inc.**

WHEREAS, on June 18, 2007, by Roll Call 07-1231, the Des Moines City Council approved a Commercial Operator Lease and Agreement ("Agreement") with Mid-America Transportation Inc. dba Mid-America Jet Center ("Mid-America"); and

WHEREAS, in recent months Mid-America initiated a sale of its commercial operations at the Airport, including assignment of the Agreement; and

WHEREAS, on December 31, 2009, Mid-America was able to negotiate terms of a sale with Elliott Aviation of Des Moines, Inc. ("Elliott"), a Fixed Based Operator tenant located immediately west of Mid-America; and

WHEREAS, part of the condition of the sale is an assignment of this Agreement, which is subject to City approval according to the terms of the Agreement; and

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

1. That this City Council meet in the Council Chambers, City Hall, City of Des Moines, Iowa, at 5:00 p.m. on the 25th day of January, 2010, for the purpose of taking action on the matter of approving the assignment of the Agreement;
2. That the proposed Agreement assignment be filed with the City Clerk;
3. That notice of said proposal be given by publication not less than four (4) nor more than twenty (20) days before the date of the public hearing, all as specified in Iowa Code sections 364.7 and 362.3; and
4. That the City Clerk is hereby authorized and directed to publish the notice as provided above.

Moved by Hensley to adopt.

Approved as to form:


 David A. Ferree
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
MOORE	✓			
MAHAFFEY	✓			
MEYER	✓			
GRIESS	✓			
TOTAL	7			

MOTION CARRIED 7 APPROVED
T. M. Franklin Cownie 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