



Roll Call Number

10-727

Agenda Item Number

36-I

Date May 10, 2010

WHEREAS, Chapter 22 of the Municipal Code of the City of Des Moines gives the Des Moines International Airport Board the power to establish and enforce regulations for the control, operation, supervision, maintenance and security of the Des Moines International Airport and further gives the Board the power to establish rates and charges for the use of the Airport, airport facilities, and airport services; and

WHEREAS, the Airport Board pursuant to section 22-51 of the Municipal Code intends to enact the attached regulation No. 10-61 amending sections 2-1, 2-2, 2-5, 2-7, and 2-20 of the Airport Board Regulations relating to commercial use fees, a part of rates and charges at the Des Moines International Airport; and

WHEREAS, on April 6, 2010, through Resolution A10-059, the Airport Board approved by first reading the proposed regulation, set a public hearing date of May 4, 2010, and set the regulation's effective date as July 1, 2010; and

WHEREAS, on May 4, 2010, in accordance with the duly published notice, the Board held a public hearing, at which no public comments were offered; and

WHEREAS, after the public hearing, at the same meeting, the Board approved by Resolution A10-087 a second reading of the proposed regulation; and

WHEREAS, the Airport Board is required by section 22-51(a)(3) of the Municipal Code to notify the City Council of the intended effective date of proposed regulations and to provide a copy of proposed regulations to the City Council for its review; and

WHEREAS, the City Council, if upon review of the proposed regulation, determines that it is inconsistent with the provisions of the Municipal Code, or is inconsistent with any applicable state or federal law or regulation, or is otherwise objectionable, the City Council may so declare by resolution, and in that event the proposed regulation will not be published and shall not take effect.



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

That the attached communication from the Chairperson of the Des Moines International Airport Board submitting proposed Airport Board Regulation No. 10-61 and duly notifying the Council of the proposed effective date of July 1, 2010, is hereby received and filed.

Moved by Hensley to adopt.

FORM APPROVED:

David A. Ferree
Assistant City Attorney

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

T. 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