

Date: December 6, 2010

Fixing Date, Time and Place of Public Hearing on Approval of Assignment of Scheduled Airline Operating Agreement from Midwest Airlines to Frontier Airlines

WHEREAS, on July 28, 2008, by Roll Call 08-1894, the Des Moines City Council approved a Scheduled Airline Operating Agreement ("Agreement") with Midwest Airlines ("Midwest"); and

WHEREAS, in recent months Midwest initiated a merger with Frontier Airlines, with the surviving company being Frontier Airlines; and

WHEREAS, in furtherance of the merger, Midwest wishes to assign the Agreement to Frontier, which assignment is subject to City approval according to the terms of the Agreement; and

WHEREAS, the current Agreement is set to expire on June 30, 2013; and

WHEREAS, the Agreement being for a term greater than three years, the assignment requires approval by the Des Moines City Council;

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 20th day of December, 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 Mahaffey to adopt.

Approved as to form:

David A. Ferree
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, MOORE, MAHAFFEY, MEYER, GRIESS, and TOTAL (7 yeas).

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.

T. M. Franklin
Mayor

Diane Rauh
City Clerk