

★ **Roll Call Number**

Agenda Item Number

42

.....
Date December 18, 2006

WHEREAS, the ordinance establishing the Des Moines International Airport gives the Airport Board the power to establish and enforce regulations for the control, operation, supervision and maintenance and security of the Airport and further gives the Board the power to establish rates and charges for use of the airport, airport facilities, or airport services; and

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

WHEREAS, the Airport Board intends to enact a regulation that it scheduled to take effect on March 1, 2007 relating to rates and charges at the Des Moines International Airport; and

WHEREAS, the Airport Board intends to enact the attached proposed regulation pursuant to section 22-51 of the Municipal Code; and

WHEREAS, the Airport Board approved by first reading the proposed regulation No. 06-53 by amending section 2-1(a) hereof relating to rates and charges at the Des Moines International Airport; and

WHEREAS, a public hearing is set for January 9, 2007 at 8:00 a.m. in the Cloud Room of the Des Moines International Airport; and

WHEREAS, the effective date of the regulation is proposed to be March 1, 2007; and

WHEREAS, the City Council, if upon review of the proposed regulation, determines that such regulation 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otherwise objectionable, the City Council may so declare by resolution, and in that event the proposed regulation will not be published and shall not take effect;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 and copy of the proposed Airport Board Regulation No. 06-53 duly notifying the Council of the proposed effective date for the regulation of March 1, 2007 is hereby received and filed.

Moved by _____ to adopt.

FORM APPROVED:



David A. Ferree
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			

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.

Mayor

City Clerk

Date _____

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Roll Call # _____

December 5, 2006

The Honorable Mayor
and Members of City Council
400 Robert D. Ray Dr
Des Moines, IA 50309

RE: Proposed Airport Regulation No. 06-53, Terminal Rental Rate Changes

Dear Mayor and Members of the City Council:

The City Council created the Airport Board under Chapter 392 of the Iowa Code for the purpose of governing the operation of the Des Moines International Airport. The Council further delegated the Board the power to establish rates and charges for use of the Airport consistent with its responsibility to maintain a positive cash balance in the Airport Enterprise Fund at all times.

At its meeting of December 5, 2006, by Resolution No. A06-211, the Airport Board approved the first reading of a resolution that would adjust rates for Concourse office, Concourse garage/storage space, Concourse restrooms and hallways and establish rates for Concourse maintenance garage within the Terminal Building.

In an attempt to maintain occupancy levels in these areas of the terminal, and in an attempt to avoid potential additional cost to the Aviation Department, Staff is proposing a downward adjustment to rental rates in these areas. These adjustments are intended to attempt to address the return of space from the airlines and perhaps encourage the airlines to expand their current office space at the lower rates.

Part of the discussion has also included identifying garage space designed for maintenance activities into a separate category. Staff has determined that it is appropriate to charge a different fee for the maintenance garage and there is no current regulation addressing such a fee.

The Airport Board, pursuant to the ordinance regarding its establishment, is required to file any revised Rates and Charges Regulations with the City Clerk and to publish both notice of intent to adopt the Regulation, as well as the time and place of a public hearing. The Airport Board is further required to notify the City Council of the proposed effective date of the Regulation and provide a copy thereof to the City Council for their review and hold a public hearing on the



DES MOINES INTERNATIONAL AIRPORT
BOARD
5800 FLEUR DRIVE, ROOM 201
DES MOINES, IOWA 50321-2854
(515) 256-5100
FAX: (515) 256-5025

ALL-AMERICA CITY 1949, 1976, 1981

Honorable Mayor and Members of City Council
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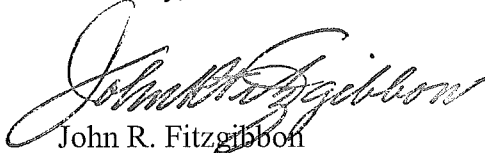
proposed Regulation.

The Board then must adopt the Regulation by Board Resolution and have the City Clerk publish it prior to its effective date.

On December 5, 2006, the Airport Board approved a first reading of the Proposed Regulation No. 06-53, with a proposed effective date of March 1, 2007. A Public Hearing is scheduled for the Airport Board meeting of January 9, 2007.

The Board herewith submits for City Council information and review, the proposed Regulation pursuant to Section 22.51 of the Municipal Code.

Sincerely,



John R. Fitzgibbon
Airport Board Chairperson

JRF:trs

cc: Richard A. Clark, City Manager

PROPOSED AIRPORT REGULATION NO. 06-53 Roll Call #**AN ENACTMENT codifying the Airport Board Regulations of the Des Moines International Airport pursuant to section 22-51 of the Municipal Code of the City of Des Moines, 2000, by amending sections 2-1(a) hereof relating to rates and charges at the Des Moines International Airport at the Des Moines International Airport.**

The Des Moines International Airport Board has authorized and directed that this proposed regulation be published. This proposed regulation is on file with the City Clerk and will be considered by the Des Moines International Airport Board in a Public Hearing on January 9, 2007 at 8:00 o'clock a.m. in the Cloud Room on the second floor of the Terminal Building of the Des Moines International Airport. The proposed regulation, if passed, will become effective on March 1, 2007.

Section 1. That the Des Moines International Airport Board hereby proposes to enact the following Airport Board Regulation relating to rates and charges:

**CHAPTER 2.
RENTAL CHARGES AND AIRPORT USE FEES**

2-1. LAND AND BUILDINGS.

(a) Unless otherwise specified by separate lease agreement, charges for the use of terminal building and associated area space by air transportation companies shall be, based upon square footage per annum, as follows:

(1)	Ticket counter	\$38.76
(2)	First floor office	\$38.01
(3)	Baggage makeup	\$38.01
(4)	Inbound baggage area	\$38.76
(5)	Bag storage	\$31.99
(6)	Concourse departure areas	\$38.76
(7)	Concourse garage/storage	\$31.99 <u>\$21.00</u>
(8)	Concourse office	\$38.01 <u>\$30.00</u>
(9)	Concourse hallways and restrooms	\$31.23 <u>\$21.00</u>
(10)	Concourse maintenance garage	\$18.00
(11 0)	Security screening	\$38.76
(12 1)	Triturator room	\$31.99
(13 2)	Regional carrier holdroom & access ramp	\$38.76
(14 3)	Airline improvement charge	\$.60
(15 4)	Curbside check-in	\$31.99
(16 5)	Concourse Transitional Area	\$38

Section 2. This regulation shall be in full force and effect from and after the public hearing if it receives subsequent final passage and publication as provided by law.

Approved as to form:

David A. Ferree
Assistant City Attorney