A RESOLUTION

authorizing a third amendment to the airline airport agreement with Delta Airlines, Inc. for commercial air service at the Columbia Regional Airport.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute a third amendment to the airline airport agreement with Delta Airlines, Inc. for commercial air service at the Columbia Regional Airport. The form and content of the agreement shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

ADOPTED this	day of	, 2013.
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ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

DELTA COPY

THIRD AMENDMENT TO AIRLINE AIRPORT AGREEMENT FOR USE OF THE COLUMBIA REGIONAL AIRPORT

WHEREAS, the City of Columbia, Missouri (the "City") and Delta Airlines Inc. (the "Airline"), (collectively the "Parties"), previously entered into an Agreement for the use of the Columbia Regional Airport (the "Airport") on July 23, 2009 (the "Agreement) and further amended that agreement on February 9, 2007, (the First Amendment) and on June 5, 2012 (the Second Amendment), (collectively the "Amended Agreement"); and

WHEREAS, the Parties want to amend and extend the Amended Agreement until February 15, 2013 under the terms and conditions detailed below (the "Third Amendment").

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated into this Third Amendment to the Amended Agreement by this reference, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend the Amended Agreement as follows:

- 1. Section 2.1, the Term, as previously amended in the Second Amendment shall be extended for the period beginning January 1, 2013 through February 15, 2013.
- 2. Except as expressly provided in this Third Amendment, the terms of the Amended Agreement shall remain in full force and effect. The Parties hereby adopt, ratify and confirm the Amended Agreement as it is amended by this Third Amendment. This Third Amendment shall be binding on, and inure to the benefit of, the Parties hereto and their successors and assigns. This Third Amendment may be executed in any number of counterparts and each shall be considered an original. Together the counterparts shall constitute one agreement. Facsimile signatures of this Third Amendment shall be deemed original signatures for all purposes.

This Third Amendment to the Parties' July 23, 2009 Agreement as previously amended is entered into on this $\underline{\square}$ of $\underline{December}$, 2012.

CITY OF COLUMBIA, MISSOURI

By:

Mike Matthes, City Manager

"DELTA AIR LINES INC. CONTRACT NO. 100772

ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckman, City Counselor

DELTA AIRLINES, INC. By: 1 Title: <u>CA CORP REAL ESTATE</u>

ATTEST:

Source: Public Works

Agenda Item No:



To: <u>City Council</u> From: <u>City Manager and Staff</u> Council Meeting Date: Jan 7, 2013

Re: Third Amendment with Delta Air Lines, Inc for Commercial Air Service at Columbia Regional Airport

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration a resolution authorizing Amendment No. 3 to the Airline Airport agreement with Delta Air Lines, Inc. extending their agreement from January 1, 2013 through February 15, 2013.

DISCUSSION:

This second amendment to the Airline Airport agreement with Delta Air Lines, Inc for commercial air service at the Columbia Regional Airport extended their agreement for one additional year beginning January 1, 2012 through December 31, 2012. Delta has requested a third amendment extending the term through February 15, 2013.

FISCAL IMPACT:

No change to the fiscal impact with extending the term through February 15, 2013.

VISION IMPACT:

http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php

None

SUGGESTED COUNCIL ACTIONS:

Approve Amendment No. 3 to Airline Airport agreement with Delta Air Lines, Inc for use of the Columbia Regional Airport.

FISCAL and VISION NOTES:							
City Fiscal Impact Enter all that apply		Program Impact		Mandates			
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No		
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	Yes	Vision Implementation impact			
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site			
Estimated 2 year net costs:		Resources Required		Vision Impact?	No		
One Time	\$0.00	Requires add'I FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #			
Operating/ Ongoing	\$0.00	Requires add'I facilities?	No	Secondary Vision, Strategy and/or Goal Item #	ţ		
,	-	Requires add'l capital equipment?	No	Fiscal year implementation Task #			