

WHEREAS, Section 8.C. of the 1968 Contract and Agreement, as amended, between the City of Dallas, Texas and the City of Fort Worth, Texas, provides that the Dallas/Fort Worth International Airport Board ("Airport Board") may enter into contracts, leases and other arrangements with any person, association of persons, firms, or public or private entities or corporations for terms not exceeding 40 years, granting the privilege of using or improving the Airport, or any portion thereof or space therein for commercial purposes and may confer the privilege of supplying goods, commodities, things, services or facilities at the Airport or of making available services to be furnished to or by the Airport Board or its agents thereof and contracts, leases and other arrangements that the Airport Board wishes to enter into that exceed 40 years must first be approved by the City Councils of the Cities of Dallas and Fort Worth; and

WHEREAS, Section 8.E.(4) of the 1968 Contract and Agreement provides that the Airport Board shall have the general power to enter into contracts, provided that they shall be submitted to the Councils of the two cities for lawful provisions for payment if the contract payments are to be made other than concurrently with the rendition of services or delivery of goods in subsequent years and not from special funds already authorized or from sums fixed by the 1968 Contract and Agreement; and

WHEREAS, on November 4, 2010, the Airport Board passed, approved, and ordered Resolution No. 2010-11-289, authorizing a new agreement between the Airport Board and Atmos Energy Corporation ("Atmos") to re-establish the natural gas utility infrastructure operation and maintenance responsibilities and natural gas main extension policies on Airport property; and

WHEREAS, the term of the agreement is 15 years, subject to termination upon two years notice, unless the Airport Board opts not to purchase the infrastructure system, in which case the Airport Board is obligated to extend the agreement with Atmos indefinitely; and

WHEREAS, the Airport Board has requested that the City Councils of the Cities of Dallas and Fort Worth to approve Resolution No. 2010-11-289 and authorize the agreement between the Airport Board and Atmos;

NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Resolution No. 2010-11-289 of the Airport Board, a duly certified copy of which is attached hereto as **Exhibit A** and made a part of this resolution by reference, is hereby approved, and that the Airport Board is hereby authorized to execute an agreement with Atmos for a term of 15 years; provided, however, if the Airport Board opts not to purchase the natural gas utility infrastructure system, the agreement between the Airport Board and Atmos will be extended indefinitely.

SECTION 2. That none of the costs arising from or associated with the agreement between the Airport Board and Atmos are to be paid by the City of Dallas.

SECTION 3. That the approvals and authorizations contained in this resolution are further conditioned upon similar approvals and authorizations by the City Council of the City of Fort Worth.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

APPROVED BY
CITY COUNCIL

JUN 27 2012


City Secretary



DALLAS/FORT WORTH INTERNATIONAL AIRPORT
3200 EAST AIRFIELD DRIVE, P.O. BOX 619428
DFW AIRPORT, TEXAS 75261-9428
www.dfwairport.com
T 972 973 8888 F 972 973 5751

May 21, 2012

STATE OF TEXAS §

COUNTY OF DALLAS §

COUNTY OF TARRANT §

I, Donna J. Schnell, Board Secretary of the Dallas-Fort Worth International Airport Board, do hereby certify that the attached is a true and correct copy of Resolution No. 2010-11-289, approved by the Dallas-Fort Worth International Airport Board of Directors at its Board Meeting held on November 4, 2010.

WITNESS MY HAND AND SEAL OF THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD, this the 21st of May 2012.

Donna J. Schnell
Donna J. Schnell
Board Secretary



**DALLAS FORT WORTH INTERNATIONAL AIRPORT BOARD
OFFICIAL BOARD ACTION/RESOLUTION**

Date 11/04/2010	Committee Operations	Subject Natural Gas Infrastructure Agreement	Resolution # 2010-11-289
Action That the Chief Executive Officer or Designee be authorized to execute Contract No. 7005314, for a Natural Gas Infrastructure Agreement, with Atmos Energy Corporation, of Dallas, Texas, for a term of 15 years, with one 15-year extension option.			
Description <ul style="list-style-type: none"> This Agreement will replace an existing Agreement between the Board and Atmos Energy Corporation, originally executed on June 1, 1971, and is set to expire on December 31, 2010. 			
Justification <ul style="list-style-type: none"> This Agreement will reestablish the natural gas utility infrastructure operation and maintenance responsibilities and natural gas main extension policies on Board property. This Agreement will not establish the Board's natural gas commodity rates. Natural gas service to accounts on Airport property will continue to be governed by Atmos' tariff rates as approved by host Cities and regulated by the Texas Railroad Commission. 			
D/M/WBE Information <ul style="list-style-type: none"> N/A 			
Schedule/Term <ul style="list-style-type: none"> Start Date: November 2010 Contract Term: 15 years with one 15-year extension option 			
Contract # 7005314	Agreement #	Purchase Order #	Action Amount \$0 Revised Amount \$0
For Information contact Rusty Hodapp 3-3670 Robert Ramert 3-5677	Fund N/A	Project #	External Funding Source Amount \$0

Additional Attachments: N

BE IT RESOLVED BY THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD

That the Chief Executive Officer or Designee be authorized to execute Contract No. 7005314, for a Natural Gas Infrastructure Agreement, with Atmos Energy Corporation, of Dallas, Texas, for a term of 15 years, with one 15-year extension option.

Approved as to Form by

Gary Keane
General Counsel
Oct 26, 2010 3:54 pm

Approved as to Funding by

Max Underwood
Vice President
Finance
Oct 26, 2010 8:23 pm

Approved as to M/WBE by

Cruz-Sewell, Suzanne
AVP Business Diversity & Dev
Business Diversity and
Development
Oct 28, 2010 8:22 am

SIGNATURE REQUIRED FOR APPROVAL**Approved by**

Department Head
Energy & Transportation Mgmt
Oct 26, 2010 3:44 pm



Chief Executive Officer

Nov 8, 2010 2:49 pm

Date