

**9425. RESOLUTION 06-28 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE TRANSPORTATION SECURITY ADMINISTRATION.** The Executive Director presented the following Resolution.

WHEREAS, The Delaware River & Bay Authority (the “Authority”), is the operator of the New Castle Airport; and

WHEREAS, the Transportation Security Administration (the “TSA”) desires to lease 136 square feet of space known as office 5101-C in the Terminal building of the New Castle Airport in order to have office space; and

WHEREAS, the TSA has agreed to pay the authority \$2,448.00 in annual rent during the first year of the Lease Agreement with annual Consumer Price Index (CPI) increases; and

WHEREAS, the initial term of the Lease Agreement is for three (3) years; and

WHEREAS, the TSA shall have the option of renewing this Lease Agreement for three (3) periods of three (3) years each; and

WHEREAS, rent during the option periods shall be based upon the Fair Market Value (FMV) and shall be adjusted each year by the CPI; and

WHEREAS, the TSA will also be executing a License Agreement with the Authority for their use of space in “Common Use” areas of the Terminal Building; and

WHEREAS, the TSA will be allowed to terminate the Lease Agreement early if commercial airline services cease at New Castle Airport.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with the Transportation Security Administration and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

On motion by Commissioner Favre, seconded by Commissioner Cooper, Resolution 06-28 was approved by a roll call vote of 10-0.