

**9758. RESOLUTION 08-18 - AIRPORT USE AND LEASE AGREEMENT
BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND SKYBUS
AIRLINES AT THE NEW CASTLE AIRPORT**

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

WHEREAS, Skybus Airlines (“Skybus”) desires to lease approximately 570 square feet of space in the terminal building in order to operate an air transportation airline; and

WHEREAS, Skybus has agreed to pay the Authority \$18.00 per square foot in annual rent during the first (1) year of the Airport Use and Lease Agreement with annual Consumer Price Index (CPI) increases; and

WHEREAS, the initial term of the Lease Agreement is for two (2) years; and

WHEREAS, Skybus will also be using additional common areas of the terminal and ramp areas on a non-exclusive basis; and

WHEREAS, User Fees for non-exclusive use areas shall be charged for airport facilities and usage based upon the attached schedule of fees and charges. These fees will be reviewed after a six (6) month period to ensure fees are reflective of actual usage.

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

A motion to approve Resolution 08-18 was made by Commissioner Favre, seconded by Commissioner Dorn, and approved by a roll call vote of 10-0.