

**RESOLUTION 24-32 - AUTHORIZES A LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND FLIGHTLEVEL CAPE MAY, LLC AT THE CAPE MAY AIRPORT**

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Cape May Airport (the “Airport”), Cape May, New Jersey; and

WHEREAS, Flightlevel Cape May, LLC (“Flightlevel”) desires to lease approximately 580 square feet of space in the new terminal building in order to operate a first class FBO service at the Cape May Airport; and

WHEREAS, Flightlevel has agreed to pay the Authority Twenty Percent (20%) of their Terminal Fees charged or a minimum annual rent payment in the amount of Ten Thousand Two Hundred dollars 00/100 (\$10,200.00); and

WHEREAS, the term of the Lease (“Lease Agreement”) shall run concurrent with their current FBO Lease Agreement and will expire on April 9, 2028; and

WHEREAS, in addition to rent, Flightlevel will pay a monthly Common Area Maintenance (CAM) charge totaling 11.25%; and

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

## **Resolution 24-32 - Executive Summary**

- Resolution:** Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Flightlevel Cape May, LLC regarding the Cape May Airport
- Committee:** Economic Development
- Committee Date:** July 16, 2024
- Board Date:** July 16, 2024
- Purpose of Resolution:** To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease agreement for space at the Cape May Airport.

### **Background for Resolution:**

The Delaware River and Bay Authority has recently constructed a new terminal building at the Cape May Airport. Flightlevel has been a tenant at the airport and operating as the Fixed Based Operator (FBO) at the airport since 2013. This lease will run concurrent with their existing agreement to be the airport FBO and provided them with a line service office and a manager's office in the new terminal.