

**RESOLUTION NO. 2023 – 01**  
**OF THE**  
**JACKSON HOLE AIRPORT BOARD**  
**RE: Concessions Relief Grant Allocation**  
**February 15, 2023**

The Jackson Hole Airport Board (the "Board"), a body corporate, organized under the laws of Wyoming, finds that:

WHEREAS, the Federal Aviation Administration ("FAA") awarded \$95,103 to the Jackson Hole Airport Board ("Board") for concession relief pursuant to the Coronavirus Response and Relief Supplemental Appropriation Act (Public Law 116-260) ("CRRSAA"); and

WHEREAS, CRRSAA authorizes use of the grant funds to provide relief from rent and Minimum Annual Guarantee ("MAG") obligations accruing after December 27, 2020, on a proportional basis for on-airport car rental, on-airport parking, and in-terminal airport concessions; and

WHEREAS, the FAA awarded \$380,414 to the Board pursuant to the American Rescue Plan Act of 2021 (Public Law 117-2) ("ARPA") to provide rent and MAG relief accruing after March 11, 2021, for in-terminal concessions; and

WHEREAS, in order to receive concession relief grant funding under CRRSAA and ARPA, the Board is required to (i) identify the base-line time period used to calculate each eligible concession's proportional share of relief, (ii) develop an Airport Concessions Relief Plan identifying the amount of rent and/or MAG relief to be provided to each eligible concession, (iii) consult with eligible concessions, (iv) require eligible concessions to make specific certifications required by CRRSAA, ARPA and FAA policy, (v) provide the rent and/or MAG relief to each eligible concession, and (vi) submit a payment request to the FAA along with the Airport Concessions Relief Plan.

WHEREAS, Airport Staff has developed an Airport Coronavirus Response Grant Program ("ACRGP") Concessions Relief Plan in connection with the grant under CRRSAA and an Airport Rescue Grants Concessions Relief Plan for the grant under ARPA; and

WHEREAS, financial obligations are a material term of Airport concession agreements and can be waived only by the Board; and

WHEREAS, the Board wishes to provide relief to Airport concessions in such manner as to ensure reimbursement from the FAA under CRRSAA and ARPA.

NOW, THEREFORE BE IT RESOLVED by the Jackson Hole Airport Board, as follows:

**Section I. Airport Concessions Relief Plans**

1. The Board directs the Executive Director and Assistant Airport Director – Finance and Administration to prepare:

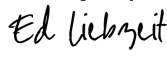
- a. The ACRGP Concessions Relief Plan for the allocation of the concession relief grant under CRRSAA, and
  - b. The Airport Rescue Grants Concessions Relief Plan for the allocation of the concession relief grant under ARPA.
2. The Airport Concessions Relief Plans shall conform with CRRSAA and ARPA and FAA guidance.
  3. Airport Staff shall consult with eligible Airport concessions and notify each eligible concession of its proportional allocation of relief under the Airport Concessions Relief Plans.
  4. After approval and the required consultations, the Executive Director is authorized to submit the Airport Concessions Relief Plans to the FAA for payment, in accordance with the executed Concessions Relief Addendum.

**Section II. Concession Relief**


1. Eligible Airport concessions shall be relieved of rent and/or MAG in the amounts reflected in the ACRGP Concessions Relief Plan and the Airport Rescue Grants Concessions Relief Plan.
2. The Executive Director and Assistant Airport Director – Finance and Administration are directed to provide the relief from rent and/or MAG obligations to eligible Airport concessions for amounts due and payable after the dates set forth in CRRSAA (December 27, 2020) and ARPA (March 11, 2021). Relief shall not be apportioned over an extended period and instead shall be provided within a single month or consecutive months.
3. Eligible Airport concessions shall be entitled to withhold rent and/or MAG payments to the Board notwithstanding the financial obligations and any other contrary provisions of a lease, license, permit or other agreement with the Board.
4. The Executive Director shall prepare and require each eligible Airport concession to make the certifications required under CRRSAA, ARPA and FAA policy in order to receive relief.

Upon motion duly made and seconded, the foregoing Resolution was adopted by the Jackson Hole Airport Board this 15th day of February 2023.

**JACKSON HOLE AIRPORT BOARD**

By:   
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Ed Liebrezeit, President

**Attest:**

By:   
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Melissa Turley, Secretary