

**RESOLUTION NO. 2023-14  
OF THE  
JACKSON HOLE AIRPORT BOARD**

**RE: RENTAL CAR CUSTOMER FACILITY CHARGE**

**December 18, 2023**

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

WHEREAS, the Board is the operator and proprietor of the Jackson Hole Airport (the “Airport”) located in Teton County, Wyoming;

WHEREAS, the Board is an airport board organized to operate, maintain and improve the Airport under W.S. §10-5-101 through §10-5-204, and Chapter 12.16 of the Ordinances of the Town of Jackson;

WHEREAS, W.S. §10-5-101(a) more specifically authorizes airport boards to construct, maintain and operate aeronautical and non-aeronautical facilities; to lease airport facilities upon terms deemed satisfactory; and to “[d]o all things necessary in the discretion of the city, town or county governing authority for the purpose of making effective the powers conferred by W.S. 10-5-101 through 10-5-204”;

WHEREAS, the Board is contractually obligated to the Federal Aviation Administration to “maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport” (AIP Grant Assurance 24);

WHEREAS, Town of Jackson Code of Ordinances Section 12.16.040(A) provides, “It shall be unlawful for any Person to conduct any Business to, from or on the Airport without having entered into a written agreement, lease or contract with the Airport Board on such terms as it may establish”;

WHEREAS, the Board determines that it is necessary and appropriate to impose upon rental car customers at the Airport a Customer Facility Charge (“CFC”), which CFC is to be collected by rental car companies, held in trust, and remitted to the Board;

WHEREAS, the Board further determines that the amount of the CFC should be set and adjusted at such intervals as determined appropriate by the Board along with other Airport rates and charges;

**THEREFORE, BE IT RESOLVED BY THE JACKSON HOLE AIRPORT BOARD:**

**1. Customer Facility Charge Established.** A Customer Facility Charge (“CFC”) hereby is imposed upon the customers of on-Airport rental car companies, including rental car companies operating from the commercial air passenger terminal and Fixed Base Operator terminal. The requirements of this Resolution will be implemented and administered through each on-Airport rental car concession agreement.

**2. Collection and Remittance of CFC.**

2.1 Rental car operators shall charge and collect a CFC from each person entering into a motor vehicle rental agreement for the pickup of a motor vehicle at the Airport.

2.2 Operators shall disclose and itemize the CFC to each customer.

2.3 Operators shall hold CFC revenue in trust for the Board in a separate account. Operators shall hold only a possessory interest, and no legal or equitable interest, in CFC revenue collected from customers.

2.4 Operators shall remit CFC revenue to the Board monthly or at such other interval as prescribed by the Board.

2.5 Operators shall maintain adequate records to substantiate all CFCs charged, collected and remitted.

2.6 Additional details on the collection and remittance of CFCs, not inconsistent with this Resolution, may be set forth in a rental car concession agreement.

**3. Level of CFC.**

3.1 The Board shall set the amount of the CFC and a maximum number of rental car transaction days subject to the CFC, if any, in the Airport Rates and Charges.

3.2 The Board may adjust the level of the CFC in an amendment or update to the Airport Rates and Charges at a duly-noticed public meeting of the Board.

**4. Board Use of CFC Revenue.**

4.1 Airport Staff shall maintain such records and accounts so as to ensure proper accounting of all CFC revenue remitted by rental car operators.

4.2 CFCs may be collected in advance for future use or may be pledged and used for the payment of debt service on obligations issued by or on behalf of the Board, including to pay associated financing costs and to maintain reasonable reserves.

4.3 The Board may use CFCs for any and all costs associated with the operation, management, improvement, enhancement, renovation, expansion and relocation of Airport facilities. CFCs may be used for planning, design, demolition, construction, utilities, equipment, financing and administration costs. CFCs may be used for internal Airport resources (e.g., Airport employee salaries and consummables) and for amounts paid to contractors, vendors and consultants.

4.4 The Board may, at its discretion, use CFC revenue for additional operating and capital costs of the Airport that the Board determines to be in best interest of the Airport.

**5. Prior Resolutions and Future Amendments.**

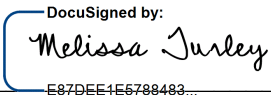
5.1 This Resolution supercedes and replaces any and all prior resolutions adopted by the Board on CFCs or similar facility fees, however styled, imposed upon rental car customers.

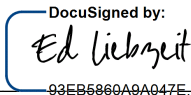
5.2 This Resolution shall be and remain in full force and effect until and unless repealed, amended or superceded by formal action of the Board taken at a duly-noticed public meeting.

Upon motion duly made and seconded, the foregoing Resolution was adopted by the Jackson Hole Airport Board this 18th day of December, 2023.

**Attest:**

**JACKSON HOLE AIRPORT BOARD**

By:   
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Melissa Turley, Secretary

By:   
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Ed Liebszeit, President