

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY  
RESOLUTION NO. 2020-26

**A RESOLUTION ABATING PAYMENT OF AIRPORT RENTS, FEES, AND CHARGES**

WHEREAS, as result of the COVID-19 pandemic and the subsequent significant decline in air traffic and its negative financial impact on airport tenants, the Board adopted the Gunnison-Crested Butte Regional Airport Policy on Temporary Deferral of Airport Rates and Charges on May 5th, 2020;

WHEREAS, the Federal Aviation Administration is recommending airports receiving financial assistance under the CARES ACT airport grant program extend a fee abatement policy to airport business to mitigate the impacts of COVID-19;

WHEREAS, the Board wishes to further financially assist current airport tenants by abating airport rates and charges and has reviewed the Gunnison-Crested Butte Regional Airport Policy on Temporary Abatement of Airport Rates and Charges, attached hereto and incorporated herein, by reference as Appendix A,

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Gunnison County, Colorado that the *Gunnison-Crested Butte Regional Airport Policy on Temporary Abatement of Airport Rates and Charges* attached hereto as Appendix A shall be and is hereby adopted.

INTRODUCED by Commissioner MASON seconded by  
Commissioner SMITH and adopted this 21<sup>ST</sup> day of JULY, 2020

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BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

  
Jonathan Houck,  
Chairperson

  
Roland Mason,  
Vice-Chairperson

  
Elizabeth Smith  
Commissioner

Attest:

Elizabeth Mense



## Appendix A

### Gunnison-Crested Butte Regional Airport Policy on Temporary Abatement of Airport Rates and Charges

Gunnison County is aware of the significant financial impact on Gunnison-Crested Butte Airport (the Airport) tenants, its business partners and the County as a whole as a result of COVID-19.

In order to assist airport tenants operating at the airport to deal with the significant reductions in passenger levels, operations and revenue, the County has adopted this policy which, as defined below, will permit the abatement of airport rents, landing fees and charges to the County for up to 90 days during the period **July 1<sup>st</sup> 2020** through **September 30<sup>th</sup> 2020** as follows:

- Permit the abatement of Airline payment obligations for rates and charges under the current Airline Operating Agreements and Lease of Airport Facilities. The deferral includes all exclusive and non-exclusive space rent and landing fees imposed in accordance with current operating Agreements and the Airport Rates and Charges Resolution No. 12-30, with the exception of Passenger Facility Charges collected and remitted in accordance with the Airline Agreements which must continue to be remitted.
- Permit abated payment of non-airline tenant payment obligations for rates and charges under the current Operating Agreements and Lease of Airport Facilities with the exception of Fuel Flowage Fee collected by the FBO and remitted in accordance with the operating Agreement which must continue to be remitted.
- To waive collection and remittance of the Gross Revenue Fee imposed by the County and collected and remitted pursuant to the Airport Facilities Lease and Rental Car Concession Agreements and Ground Transport Agreements.
- To permit tenants and service providers to adjust hours of operation, staffing, required services, and other aspects of their operations in response to the decrease in traffic and to comply with health advisories and mandatory orders from local and state public health agencies.
- This deferral does not affect rates and charges and payment obligations that accrued prior to the period **June 30<sup>th</sup> 2020**.

During this abatement period, the County will not consider a tenant's lack of payment to constitute a payment delinquency, will not compute and attach a late charge or interest to the payment obligation, will not declare a tenant to be in default under the Agreement, and will not call on any contract security or performance or payment bond



All tenants are required to continue reporting activity to the County as required by their respective Agreements and all other terms and conditions of the Agreements shall bind the parties.

The County further reserves the right to rescind this abatement if, for example, the County determines that the abatement is inconsistent with an existing legal obligation.

The County is mindful of the challenges presented and hope that this measure of relief will further help our airport partners address cash flow challenges that it might face in the near future.

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