

ORDINANCE NO. HCAA 12-12-18-A

AN ORDINANCE OF THE HAMILTON COUNTY AIRPORT
AUTHORITY ADJUSTING RENTAL RATES AND FUEL FLOWAGE FEES

WHEREAS, the Hamilton County Airport Authority (“the Authority”) and Indianapolis Airport Properties, LLC, (“the Operator”), entered into a Lease and Fixed Based Operations Agreement, on 30th day of October, 2015, (“the Agreement”), which Agreement set out the terms and conditions of the relationship between the Authority and the Operator; and,

WHEREAS, Section 2.03 of the Agreement provides that the Operator would pay to the Authority, rent of Twenty-two Thousand Dollars (\$22,000) per month beginning on November 20, 2015; and,

WHEREAS, the Agreement further provides in Section 5.01 for the Operator to pay the Authority flowage fees for each gallon of fuel sold by the Operator; and,

WHEREAS, the Agreement provides rent and the flowage fees should be increased beginning January 1, 2019, and the increase shall be the lesser of five percent (5%), or the increase of the Consumer Price Index over the five (5) year period; and,

WHEREAS, the Consumer Price Index has increased from 233.196 in January of 2014, to 252.038 in October of 2018, or an increase of 7.7% during the five (5) year period; and,

WHEREAS, pursuant to the Agreement, the fuel flowage fee and rent should be increased by five percent (5%), based on the terms of the Agreement.

IT IS THEREBY ORDAINED by the Hamilton County Airport Authority as follows:

1. Section 2.03 of the Agreement is hereby amended to increase the monthly rent from Twenty-two Thousand Dollars (\$22,000) per month to Twenty-three Thousand One Hundred Dollars (\$23,100) per month.

2. The fuel flowage fees as set out in Section 5.01 of the Agreement are amended from the base fuel fees shown in the Agreement to the following amounts:

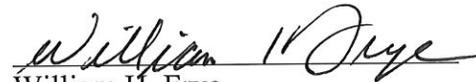
Total Gallons	Original Flow Fee	1/1/19 Flow Fee	Maximum Payment	1/1/19 Maximum Payment
250,000	0.19/gallon	.1995/gallon	\$47,500	\$49,875
250,001-400,000	0.15/gallon	.1575/gallon	\$22,500	\$23,625
Over 400,001-550,000	0.10/gallon	.105/gallon	\$15,000	\$15,750
550,001-thereafter	0.05/gallon	.0525/gallon		

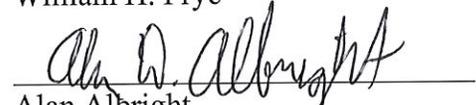
3. All other terms and conditions of the Agreement, not in conflict with this Ordinance, shall be in full force and effect.

4. The rent and fuel flowage fee set increase shall be effective on the beginning of business on January 1, 2019.

ALL OF WHICH IS ORDAINED by the Hamilton County Airport Authority this 12th day of December, 2018.

HAMILTON COUNTY AIRPORT
AUTHORITY

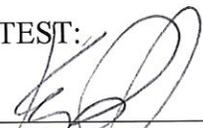

William H. Frye


Alan Albright


Tom McNutt

Justin Clevenger

ATTEST:



Kent W. Erb, Secretary