

**RESOLUTION NO. 2020-03
OF THE TRUCKEE TAHOE AIRPORT DISTRICT**

Airport Lease Payment Forbearance under COVID-19 Pandemic Conditions

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus; and

WHEREAS, on March 3, 2020 the Placer County Health Officer declared a Local Health Emergency and on March 6, 2020, the Nevada County Health Officer also declared a Local Health Emergency as a result of the COVID-19 virus.

WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19. The declaration was issued as the number of positive California cases continued to rise and following one official COVID-19 death; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

WHEREAS, as a result of the public health emergency and the precautions recommended by health authorities to address the COVID-19 virus, some tenants at the Truckee Tahoe Airport District have experienced or are expected to soon experience sudden and unexpected income loss; and

WHEREAS, further economic impacts are anticipated, leaving tenants vulnerable to eviction; and displacing renters who are unable to pay rent due to these types of financial impacts will worsen the present crisis by making it difficult for them to follow the health guidance of social distancing and isolation, which will put tenants and many others at great risk; and

WHEREAS, promoting stability amongst commercial, private, and non-profit tenants furthers the public purposes of the Truckee Tahoe Airport District; and

WHEREAS, The Truckee Tahoe Airport District, herein referred to as (DISTRICT), Board wishes to extend relief to airport tenants to support the safe, efficient, and secure use of the airport and promote long term, vibrant and sustainable use of the airport.

NOW, THEREFORE, BE IT RESOLVED that the Truckee Tahoe Airport District's Board of Directors authorizes the General Manager to consider, process and approve requests by tenants to defer certain portions of rent, lease fees, and payments, herein referred to as (Payments), under guidelines listed below.

1. Private, Commercial, and Non-Profit tenants who are experiencing financial hardship related to the COVID-19 Pandemic may apply to defer Payments for a term not to exceed 90 days past the date the Governor's Order of Pandemic Emergency is lifted/removed/repealed. Amortization of repayment shall be completed within 12 calendar months from the last date of deferred rent or 18 months from the first date of deferral whichever is less. Interest and late fees shall not accrue during the deferral period, but any existing late fees, interest or penalties owed on the commencement of the deferral period shall remain owed. The General Manager may approve requests for a deferral subject to the other terms and conditions of this Resolution. Upon conclusion of the deferral term or before, all Payments shall be paid in full to the Truckee Tahoe Airport District bringing the tenant in full paid good standing including all late payments or existing penalties.
2. The General Manager shall prepare a Lessee Request for Rent Deferral form ("Form") for tenants wishing to participate in the program. The Form shall include all applicable terms

and conditions of the program and will require reasonable evidence of financial hardship. Tenant shall complete the Lessee Request for Rent Deferral Form and, if the application is approved by the District, this Form shall be a binding agreement between the tenant and District.

3. The District shall make available a total of \$175,000 of payment deferral program funding.
4. Minimum annual guarantees or concession fees are not eligible for deferral under this program although rents and payments related to ground leases on subject commercial operating permits are eligible.
5. This program in no way suspends the other rights of the Truckee Tahoe Airport District, any rules or regulations, or lease and operating permits covenants. The District may suspend or terminate the program at any time for any reason. Upon such termination or suspension, all owed amounts shall be immediately due and payable.

The foregoing was duly passed and adopted by the Board of Directors of the Truckee Tahoe Airport District at the meeting held on April 22, 2020 by the following vote:

AYES:

NOES:

ABSENT:

TRUCKEE TAHOE AIRPORT DISTRICT

Teresa O’Dette, President of the Board

CERTIFICATION

I, Kevin D. Smith, Secretary of the Board of Directors of the TRUCKEE TAHOE AIRPORT DISTRICT, do hereby certify that the foregoing is a full, true and correct copy of Resolution 2020-02 adopted at the regular meeting of the Board of Directors of the TRUCKEE TAHOE AIRPORT DISTRICT this 22nd day of April, 2020.

IN WITNESS WHEREOF, I have hereto set my hand and impressed the official seal of the TRUCKEE TAHOE AIRPORT DISTRICT this 22nd day of April 2020.

Kevin D. Smith, Secretary of the Board