

CITY RESOLUTION NO. _____

COUNTY RESOLUTION NO. _____

**RESOLUTION AMENDING JOINT RESOLUTION NO. 10677 AND COUNTY
RESOLUTION NO. 1993-166 BY EXTENDING THE HELENA REGIONAL AIRPORT
AUTHORITY FOR AN ADDITIONAL TEN (10) YEARS AND, AND, AND,**

WHEREAS, in December 1993, the Helena City Commission and the Lewis & Clark County Board of Commissioners approved Joint Resolution No. 10677 and County Resolution No. 1993-166 (“Enabling Resolution”), which resulted in the creation of the Helena Regional Airport Authority (“Authority”); and

WHEREAS, Section 8.01 of the Enabling Resolution provided that the Enabling Resolution and the Authority would expire ten (10) years after the date of adoption unless each commission approved an extension; and

WHEREAS, in September 1994, the Helena City Commission and the Lewis & Clark County Board of Commissioners approved Joint Resolution No. 10806 and County Resolution No. 1994-157, which resolution amended Section 8.01 of the Enabling Resolution by adding language that noted if the Authority became insolvent or incapable of fulfilling its obligations, the airport would return to the status of a joint City-County airport; and

WHEREAS, in June 2001, the Helena City Commission and the Lewis & Clark County Board of Commissioners approved Joint Resolution No. 11640 and County Resolution No. 2001-62, which amended Section 8.01 of the Enabling Resolution by extending expiration of the Enabling Resolution and the Authority until 2011; and

WHEREAS, in January 2011, the Helena City Commission and the Lewis & Clark County Board of Commissioners approved City Resolution No. 19806 and County Resolution No. 2011-10, which amended Section 8.01 of the Enabling Resolution by extending expiration of the Enabling Resolution and the Authority until June 30, 2021; and

WHEREAS, in April 2011, the Helena City Commission and the Lewis & Clark County Board of Commissioners approved City Resolution No. 19820 and County Resolution No. 2011-67, which amended Section 7.01 of the Enabling Resolution by removing the Authority Board of Commissioners as the Airport Board of Adjustment and creating a new independent Airport Board of Adjustment to administer City zoning regulations attendant to the airport; and

WHEREAS, the Helena City Commission and the Lewis & Clark County Board of Commissioners desire to amend the Enabling Resolution in several respects, including but not limited to extending expiration of the Enabling Resolution and the Authority until June 30, 2031.

**NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE COMMISSION OF
THE CITY OF HELENA, MONTANA, AND THE BOARD OF COUNTY**

COMMISSIONERS OF LEWIS & CLARK COUNTY, MONTANA, THAT THE ENABLING RESOLUTION IS AMENDED AS FOLLOWS:

1. Section 8 is hereby amended to state in its entirety as follows:

Section 8. Duration.

8.01. On or before June 30, 2031, the City and the County shall determine whether to extend the term of this resolution, amend or modify the resolution, or terminate the Authority. If the Authority is not extended, or if it becomes insolvent or incapable of fulfilling its obligations, the airport shall revert to the status of the joint City-County airport as established in Joint Resolution No. 7910, which will be fully reinstated.

2. Section 2 is hereby amended to add new subpart 2.02, which shall read as follows:

2.02. The Authority shall operate the Helena Regional Airport (HLN), a primary commercial service airport that serves Montana's capital city and central Montana. The airport campus supports numerous activities including aviation, transportation, supply chain logistics, national defense, support of responses to natural and man-made disasters, education, and a variety of other services and economic activities. The Airport campus supports over 2,000 jobs through a diverse range of activities. The City and the County have jointly created the Authority to operate, maintain, and improve the 1,400-acre airport campus while remaining fiscally self-sufficient. The airport has a diversified revenue portfolio, including airline-related activities (46%), other aviation activities and businesses (11%), and non-aeronautical businesses (43%).

The airfield system includes three paved runways and one turf runway serving a broad range of aviation activities including global connectivity through several airline hubs, general and corporate aviation, a full-service fixed base operator (FBO), self-service aircraft fueling station, 23 based military aircraft, flight training, flying club, air ambulance services, air cargo, aerospace manufacturing, very large air tanker capable wildland firefighting base, home base for numerous government owned aircraft, 3 aircraft repair stations, and a US Customs and Border Protection landing-rights clearance facility to accommodate international flights entering the United States.

Non-aviation businesses include commercial retail, a regional newspaper printing facility, office buildings, various government facilities, a freight distribution truck ware yard, indoor tennis center, soccer fields, a world-class driver training and motorsports track and a state-of-the-art, environmentally friendly fire training center.

3. Section 5 is hereby amended to alter subpart 5.05 and add new subpart 5.06, which shall read as follows:

5.05 The total expenditures to be made by the Authority for any purpose in any fiscal year shall be as determined by a budget prepared and approved by the Authority on or before June 10. Public notice will be given, and a public hearing held by the Authority prior to approval of the annual budget. A copy of the proposed budget shall be provided to the City and County Commission and the City of Helena and Lewis and Clark Library at least fifteen (15) days prior to the public hearing by the Authority. A copy of the final adopted budget shall be provided to the

City and County Commission and the City of Helena and Lewis and Clark Library within fifteen (15) days after adoption by the Authority.

5.06 Authority and City and County agree to an annual review of all City and County imposed fees and assessments, services provided by the City and County, and use of Authority facilities by the City and County.

4. Section 6 is hereby amended to add a new subpart 6.03, which shall read as follows:

6.03. Within ten (10) business days after letting Authority-owned real property and/or improvements to an entity other than the City or the County, the Authority shall provide the City and the County with a copy of the associated lease and, if the lessee intends to improve the real property, a copy of all documents in the Authority's possession or control that relate to the proposed improvements.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS ____ DAY OF JUNE, 2021.

Wilmot Collins, Mayor

Dannai Clayborn, City Clerk

UNANIMOUSLY APPROVED, PASSED, AND ADOPTED by the Board of County Commissioners of the County of Lewis & Clark, Helena, Montana, in regular session met and held on the ____ day of June , 2021, and spread at large upon its Minutes this ____ day of _____, 2021.

_____, **Chair**

_____, **Clerk of the Board**