

12575. RESOLUTION 26-10 - SECOND LEASE AMENDMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE STATE OF DE OFFICE OF MANAGEMENT AND BUDGET ON BEHALF OF THE DELAWARE ARMY NATIONAL GUARD AT THE WILMINGTON AIRPORT. (RESCINDING RESOLUTION 25-41)

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Wilmington Airport (“Airport”); and

WHEREAS, the Delaware National Guard (the “Guard”) currently leases approximately 24 acres of land known as the Army Aviation Support Facility at the Wilmington Airport; and

WHEREAS, the Guard’s original lease term expires October 4, 2043; and

WHEREAS, the Guard desires to extend the term of the Initial Lease Agreement by an additional twelve (12) years, two (2) months, and twenty-eight (28) days, extending the expiration date to December 31, 2055; and

WHEREAS, Landlord and Tenant desire to extend the term of the Initial Lease, and in consideration of such term extension, Tenant agrees to negotiate, in good faith and in a timely manner, the addition of Tenant to that certain Joint Use Agreement (as defined below); and

WHEREAS, this Resolution corrects a typographical error in the First Amendment dated November 10, 2003, to change the plan number as prepared by VanDemark & Lynch, Inc., Engineering Firm, from 30690-LE to 36835-LE; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Second Lease Amendment with the State of Delaware Office of Management and Budget on Behalf of the Delaware National Guard, and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 25-41 is hereby rescinded.

Resolution 26-09 was moved by Commissioner Houghton, seconded by Commissioner Ratchford, and was approved by a roll call vote of 11-0:

Resolution 26-10 - Executive Summary

Resolution: Authorizing the Execution of a Second Lease Amendment Between the Delaware River and Bay Authority and The Delaware National Guard, regarding Wilmington Airport.

Committee: Economic Development

Committee Date: March 17, 2026

Board Date: March 17, 2026

Purpose of Resolution:

To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Amendment for space at the Wilmington Airport.

Background for Resolution:

The Delaware National Guard currently leases space at the Wilmington Airport, known as the Army Aviation Support Facility, with a term expiring on October 4, 2043. They entered into a Lease Agreement on October 3, 1988. They wish to extend their Lease Agreement for an additional twelve years, two months, and twenty-eight days, moving the expiration date to December 31, 2055. They are planning a construction project consisting of a micro-grid which requires a 30-year lease term to qualify for funding.

Resolution 25-41 stated that this amendment would take effect upon receipt of an Airport Joint Use Agreement (AJUA). The AJUA process is lengthy, and the Guard wishes to execute the Second Lease Agreement immediately for approval of the \$21 million microgrid project while still working towards incorporating the Army Guard into the existing AJUA.

Additionally, this Resolution corrects a typographical error in the First Amendment dated November 10, 2003, to change the plan number prepared by VanDemark & Lynch, Inc., Engineering Firm, from 30690-LE to 36835-LE.