

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	<u>\$6,083</u>	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$6,083</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No X
 Does this item include the use of federal funds? Yes _____ No X

Budget Account No: Fund 4100 Department 120 Unit 8430 RSource 4413
 Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

JN

The fiscal impact above includes the deletion of renting a 113 square foot ticket office from 12/6/2021 to 9/30/2022 (FY2022). The FY2022 terminal rental rate is \$65.66 per square foot per year.

C. Departmental Fiscal Review:

Debbie Duncanson

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

Susan Muth 2/1/22
 OFMB
for review 2/1/22

Ann J. Jewell 2/3/22
 Contract Dev. and Control
 2-1-22 TW

B. Legal Sufficiency:

Anne Delgent 2-8-22
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 11/17

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

AFFIDAVIT OF LIMITED LIABILITY COMPANY

STATE OF Nevada

COUNTY OF Clark

BEFORE ME, the undersigned authority, personally appeared, the undersigned who by me being first duly sworn, depose(s) and say(s) that:

1. The undersigned is the Director of Allegiant Air LLC,
(title: e.g. Manager, Member, etc.)
a limited liability company organized and existing under the laws of the State of Nevada ("Company").

2. Articles of Organization of the Company have been filed, and are on-file with, the Florida Department of State and such articles are incorporated herein by reference.

3. The Company is in good standing and is authorized to transact business in the State of Florida as of the date hereof.

4. The company is a [select (a) or (b)] (a) manager managed or (b) member managed limited liability company.

5. The undersigned is the sole managing member of the Company or has been authorized by majority vote of the managing members to act on behalf of the Company and legally bind the Company and execute contracts and other instruments relating to the transaction of business of the Company.


6. The undersigned has the right and authority to enter into that certain Non-Signatory Airline Agreement and that certain Airline Service Incentive Program Participation Agreement, both between Palm Beach County, a political subdivision of the State of Florida and the Company (collectively, the "Agreements"), which is incorporated herein by reference and made a part hereof, and such other instruments as may be necessary and appropriate for the Company to fulfill its obligations under such Agreements, including amendment(s) and termination of such Agreements.

7. Upon execution and delivery of such Agreements and documents by the undersigned, all of the aforesaid shall be valid agreements of and be binding upon the Company.

8. The transactions contemplated herein will not violate any of the terms and conditions of the Company's member agreement, operating agreement certificate of organization or of any other agreement and amendments thereto of whatever kind between the Company and any third person.

9. The undersigned acknowledges that affiant is familiar with the nature of an oath and the penalties provided by the laws of the State of Florida and that this Affidavit is being given to induce Palm Beach County to enter into the Agreements.


FURTHER AFFIANT SAYETH NAUGHT,


[sign name]

Thayne Klinck, Individually and as
[print name]
[select one: Manager or Member]

SWORN TO AND SUBSCRIBED before me on this 10th day of October,
2019, by Thayne Klinck, [select one] Manager/Member of
Allegiant Air LLC, on behalf of the Company, [select one] who is personally known to
me OR- who produced _____, as identification and
who did take an oath.




Notary Signature

Alexia Canetti
Print Notary Name

NOTARY PUBLIC
State of Nevada at large

My Commission Expires:
January 13, 2020

🔍 Search

👤 Insured

Insured Name

Allegiant Air LLC (DX00000701)



Allegiant Air LLC (DX00000701)

Active Records Only

Advance Search

Insured Tasks Admin Tools

View

👤 Insured

📄 Notes

🔄 History

☰ Deficiencies

📶 Coverages

★ Requirements

📏 Contract Screen

Add

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Video Tutorials

Name: Allegiant Air LLC 👤

Account Number: DX00000701

Address:

Status: Currently in Compliance.

Insured ▲

Business Unit(s)

DBA Number

Print Insured Info

Print Compliance Report

Account Information

Account Number: DX00000701

Risk Type: Standard - General Services

Do Not Call: Address Updated:

Address Information

Mailing Address

Physical Address

Insured: Allegiant Air LLC

Address 1:

Address 2:

City:

State:

Zip:

Country:

Country:

Contract Information

Contract Number:

Contract Start Date:

Contract End Date:

Contract Effective Date:

Contract Expiration Date:

Description of Services:

Non-Signatory
Airline
Ageement

Safety Form II:

Contact Information

Contact Name:

Mark Steitz

Misc:

Phone Number:

Alt Phone Number:

Fax Number:

E-Mail Address:

msteitz@alliant.com

Approval Date:

Rush:

No

Contract on File:

No

Certificate Received:

No

Indemnification Agreement:

No

Tax Id:

This Account created by e59 on 05/11/2020.

**FIRST AMENDMENT TO NON-SIGNATORY AIRLINE AGREEMENT
PALM BEACH INTERNATIONAL AIRPORT**

THIS FIRST AMENDMENT TO NON-SIGNATORY AIRLINE AGREEMENT (this "First Amendment") is made and entered into December 17, 2021, by and between Palm Beach County, a political subdivision of the State of Florida ("County"), and Allegiant Air LLC, a Nevada limited liability company, having its office and principal place of business at 1201 North Town Center Drive, Las Vegas, NV 89144 ("Airline").

WITNESSETH:

WHEREAS, County, by and through its Department of Airports, owns and operates Palm Beach International Airport ("Airport"), located in Palm Beach County, Florida; and

WHEREAS, pursuant to that certain Non-Signatory Airline Agreement between County and Airline dated October 18, 2019 (R2020-0216) (the "Agreement"), Airline leases various terminal facilities and equipment at the Airport in connection with its operations as a commercial air carrier; and

WHEREAS, the authorization to execute certain amendments to the Agreement was delegated to the Director of Airports pursuant to Resolution No. 2019-1156; and

WHEREAS, the parties desire to amend the Agreement as provided for herein.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, and for other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

1. The foregoing recitals are true and correct and are hereby incorporated herein by reference and made a part hereof. Terms not defined herein shall have the meaning ascribed to them in the Agreement.
2. Effective December 6, 2021, Exhibit "B", "Preferential Use Premises (Terminal Areas)" to the Agreement is hereby deleted in its entirety and replaced with Exhibit "B", "Preferential Use Premises (Terminal Areas)", attached to this First Amendment, and incorporated herein.
3. Except as specifically modified herein, all of the terms and conditions of the Agreement shall remain unmodified and in full force and effect and are hereby ratified and confirmed by the parties hereto.
4. This First Amendment shall become effective when signed by both parties hereto and approved by Palm Beach County.

IN WITNESS WHEREOF, the parties hereto have duly executed this First Amendment as of the day and year first above written.

Signed, sealed and delivered in the presence of two witnesses for County:

[Signature]

Signature
Steven K. Schlamp
Print Name

Rebecca Reed
Signature

Rebecca Reed
Print Name

PALM BEACH COUNTY, a political subdivision of the State of Florida

By: [Signature] ^{RW}
Director, Department of Airports

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]
County Attorney

Signed, sealed and delivered in the presence of two (2) witnesses for Airline:

[Signature]
Amanda Guerra (Dec 7, 2021 16:19 PST)
Signature

Amanda Guerra
Print Name

[Signature]
Signature

Sarah Richardson
Print Name

**AIRLINE:
ALLEGIANT AIR LLC**

By: [Signature]
Thayne Klingler (Dec 7, 2021 16:09 PST)

Thayne Klingler
Typed or Printed Name of Corporate Officer

Title: Director, Airport Affairs

(Seal)

EXHIBIT "B" – Preferential Use Premises (Terminal Areas)
Allegiant Air LLC

First Level Plan – Palm Beach International Airport Main Terminal

No Preferential Use Space.

EXHIBIT "B" – Preferential Use Premises (Terminal Areas)
Allegiant Air LLC

Second Level Plan – Palm Beach International Airport Main Terminal

No Preferential Use Space.

EXHIBIT "B" – Preferential Use Premises (Terminal Areas)
Allegiant Air LLC

Third Level Plan – Palm Beach International Airport Main Terminal

