

**RESOLUTION NUMBER 59, 2007****Supporting the Erie International Municipal Airport Runway Project  
Authority Runway Project\***

**WHEREAS**, the Erie Municipal Airport Authority, by change of name, Erie International Airport, hereinafter, "Authority," desires to resurface the airport's runway and extend the existing runway by nineteen hundred twenty (1,920) feet, "the Project;" all in the interest of public safety and for the purpose of promoting local economic growth and development; and

**WHEREAS**, the Authority has estimated the cost of the Project at ~~\$80.4~~ \$80.5\* million; and

**WHEREAS**, the Federal Aviation Administration has agreed to commit \$47.7 million of federal funds to the cost of the Project contingent upon local funding of the balance of the cost of the Project; and

**WHEREAS**, the County of Erie has agreed to commit up to\* \$25.7 million of local funds at an annual amount of \$2,570,000\* to the cost of the Project subject to and in accordance with the conditions delineated below; and

**WHEREAS**, the Authority has agreed to provide the monies necessary to fund the balance of the cost of the Project;

**NOW THEREFORE, BE IT RESOLVED** by the County Council of Erie County, subject to the following conditions, and upon approval of the County Executive, the County of Erie agrees to commit up to, and not to exceed, \$25.7 million to the Project:

1. The County of Erie shall join in the original incorporation of the Authority, the Authority shall consent to the joinder and the Authority shall make application to the Secretary of the Commonwealth for a Certificate of Joinder. The proper officers of the County of Erie shall execute the Application and the Authority and the City of Erie shall join in the Application.
2. The Authority shall amend its Articles of Incorporation to increase the number of members of the Board of the Authority from five (5) members to nine (9) members. Further, the Authority shall reapportion representation on the Board to reflect five (5) members appointed by the City of Erie and four (4) members appointed by the County of Erie, all in a manner consistent with the provisions of Section 5610 of the Municipal Authority Law (53 Pa.C.S.A. §5610).
3. Erie County agrees to commit up to, and not to exceed, \$25.7 million to the Project, reserving the right, however, to determine the source of funding and manner of financing, such funding and financing to be made in the best interest of the taxpayers of the County as a whole.

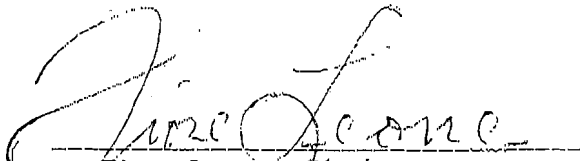
\*As Amended.

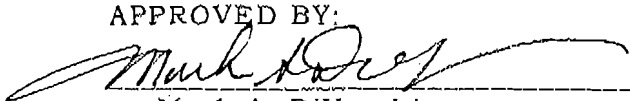
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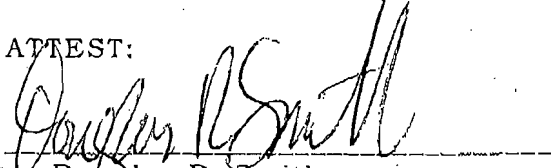
- 4. The City of Erie shall convey, transfer and assign all of its right, title and interest in the Erie Golf Course property to Millcreek Township and, in exchange therefore, ~~Millcreek Township~~ **Erie Municipal Airport Authority\*** shall pay to the City of Erie the sum of Two Million Two Hundred Ten Thousand (\$2,210,000.00) Dollars.
- 5. Millcreek Township shall convey to the Authority, a permanent right of way to so much of the Millcreek Golf Course property as would be needed to meet the requirements of the Project as referenced herein and as contemplated by the Authority.
- \*6. The County of Erie and the Erie Municipal Airport Authority shall negotiate and enter into a mutually acceptable, legally binding agreement setting forth all of the various rights, duties and obligations of each of the parties as described in the Whereas clauses of this Resolution. Said agreement hereinafter referred to as "Memorandum of Understanding." By its own terms, the Memorandum of Understanding shall not become effective until it is properly approved and executed by each of the parties.

On the motion of Mr. Foust, seconded by Mr. Giles, this resolution was passed on this 18th day of December, 2007 by a vote of 7 - 0.

  
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Fiore Leone, Chairman  
Erie County Council

APPROVED BY:  
  
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Mark A. DiVecchio  
County Executive

Date: December 18, 2007

ATTEST:  
  
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Douglas R. Smith  
County Clerk

Date: December 18, 2007

\*As Amended.