

**REPORT/ RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF
ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY AND
RECORD OF ACTION**

August 13, 2020

FROM: Gwen C. Balk, Director – Administration

SUBJECT: Bird’s Nest, LLC – Consent to Assignment of Gold Hangar 8 Sublease

RECOMMENDATION: Motion to approve the Consent to the Assignment of Sublease and authorize the Chair and Clerk to sign.

BACKGROUND: Bird’s Nest, LLC (the “Assignor”) desires to assign 100% of the membership interest in Bird’s Nest to Renovera, PBC, a Colorado public benefit corporation (the “Assignee”). The closing is expected to occur on or before 10/1/2020.

Denver jetCenter (“Landlord”) and the current sublessee, Assignor, entered into a Sublease of Gold Hangar 8 located at 7785 S. Peoria Street in 1994, as amended. The use of the Hangar 8 facility is for aeronautical uses only which is consistent with the Airport’s Development Guidelines.

However, upon Assignee’s acquisition of the membership interest, Assignee wishes to modify office space and the use, as follows:

- Existing office space will be modified to allow for the operation of an organ transplant preparation facility (a non-aeronautical use) – See Exhibit A, Engineer’s letter; and
- Use provisions will be modified to permit mixed uses:
 - The non-aeronautical organ transplant preparation facility in Office Space; and
 - The aeronautical air transportation & aircraft storage hangar use in existing unmodified Hangar space.

Assignee’s future plans include its own fleet of aircraft. Until that time, its air transportation, aircraft maintenance and future aircraft management needs will be supplied by Mayo Aviation, an approved operator at Centennial Airport. See attached Exhibit B, Mayo / Renovera agreement letter.

The Landlord has provided the attached copy of its Consent to Assignment of Sublease with the noted modifications and requirements. See Exhibit C, Consent to Assignment of Sublease between Landlord, Assignor and Assignee (the “DJC Consent”).

Staff has prepared a draft Consent to Assignment of Sublease (see Exhibit D) for the Board's consideration. It includes a waiver of the Development Guidelines for the mixed use as well as a deadline for the closing to take place or the consent becomes null and void. Staff and Counsel are still reviewing the document. If changed, the final version will be e-mailed to the Board before the meeting.

FINANCIAL DATA: NA

REVIEW BY OTHERS: Robert Olsigers, Michael Fronapfel, Luke Skaflen

PRESENTERS: Gwen Balk

Action of the Board of Commissioners

	1 st	2 nd	YES	NO	ABS
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Baker	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Doubek	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Holen	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sharpe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

PRELIMINARY WEB DOCUMENT