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(R-2020-372) 4/7/2020

RESOLUTION NUMBER R- 312911

DATE OF FINAL PASSAGE APR 09 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO FLAT RATE PARCEL GROUND LEASE WITH AIR CENTER MYF, LLC, FOR UP TO 7.69 ACRES OF UNIMPROVED LAND LOCATED AT MONTGOMERY-GIBBS EXECUTIVE AIRPORT.

WHEREAS, on February 13, 2018, the San Diego City Council approved Resolution R-311540 authorizing that certain Flat Rate Parcel Ground Lease between the City of San Diego (City) and Air Center MYF, LLC (Lessee), on file with the San Diego City Clerk as Document No. RR-311540 (Lease), for the construction, operation, and maintenance of a helicopter aviation facility on Parcel 1 and provided Lessee with the option to add Parcel 2 and/or Parcel 3 to the leasehold premises under certain conditions set forth in the Lease; and

WHEREAS, the Lease provided that in the event City desired to lease a certain portion of property adjacent to the leasehold premises, Lessee shall have a first right of refusal. In accordance with the Lease, City staff notified Lessee, in writing, of City's desire to lease such property and Lessee did not exercise its first right of refusal and has forfeited such right; and

WHEREAS, City desires to remove a 4-foot wide portion of Parcel 1 and Parcel 2 to construct a two-lane 24-foot wide airport vehicle access road to be used by airport lessees, airport sublessees or their employees, invitees, guests, agents, or officers; and

WHEREAS, Lessee desires to add to the leasehold premises an additional approximate 5,064 square feet of unimproved land to develop and gain direct access for aircraft ingress and egress to the Taxiway Hotel; and

WHEREAS, pursuant to the Lease, the term shall commence on the first day of occupancy by the Lessee, but no later than two years from the effective date of the Lease

(March 8, 2020); and

WHEREAS, Lessee desires an additional two years to obtain development approvals;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute that certain First Amendment to Flat Rate Parcel Ground Lease with Air Center MYF, LLC, on file in the Office of the City Clerk as Document No. RR-312911, under the terms and conditions set forth therein.

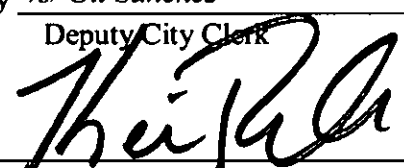
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Hilda R. Mendoza
Hilda R. Mendoza
Deputy City Attorney

HRM:nja
02/27/20
Or. Dept: READ
Doc. No.: 2339011

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 04/07/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Gil Sanchez
Deputy City Clerk

KEVIN L. FAULCONER, Mayor

Approved: 4/9/2020
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 07 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 09 2020

(Please note: When a resolution is approved/unsigned by the Mayor, the date of final passage is the date the approved/unsigned resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Cecilia Patterson Deputy
for Stacy Ready

Office of the City Clerk, San Diego, California

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