

**RESOLUTION NO. \_\_\_\_\_(N.C.S)**

**A RESOLUTION APPROVING A FACILITY LEASE FOR 37 MORTENSEN AVE.  
BETWEEN DELTA MIKE ENTERPRISES, LLC AND THE CITY OF SALINAS AT  
THE SALINAS MUNICIPAL AIRPORT**

**WHEREAS**, the City of Salinas is the owner of that real property located at 37 Mortensen Avenue (the “Premises”), in the City of Salinas, California, County of Monterey; and

**WHEREAS**, by way of Resolution 18842, Serv-Aero Engineering, Inc. (Serv-Aero) entered into a Facility Lease for the Premises in 2005 (“Facility Lease”); and

**WHEREAS**, Serv-Aero’s original 15-year term will expire on February 17, 2021; and

**WHEREAS**, Serv-Aero desires to terminate their 2005 Lease with the City of Salinas for the Premises effective December 1, 2020 at 12:01 a.m.; and

**WHEREAS**, Delta Mike Enterprises, LLC (DME) desires to Lease the Premises from the City of Salinas effective December 1, 2020 at 12:01 a.m.; and

**WHEREAS**, the City desires to enter into a Facility Lease for the Premises with DME for the term hereinafter provided and DME desires to accept such Facility Lease upon the terms and subject to the conditions contained herein; and

**WHEREAS**, on October 22, 2020 the Airport Commission recommended City Council approve the attached Facility Lease for 37 Mortensen Ave. between Delta Mike Enterprises, LLC and the City of Salinas at the Salinas Municipal Airport; and

**WHEREAS**, the Federal Aviation Administration (FAA) restricts the use of land in question to only those uses which are aviation-related, do not conflict with the safe operating of the airport, and do not place vulnerable populations at risk from aircraft; and

**WHEREAS**, Salinas Municipal Code Section 12-13 allows the City Council to approve the leasing of any City-owned real property if the Council determines that the real property interest leased will not be necessary for municipal purposes during the term of the lease.

**NOW, THEREFORE, BE IT RESOLVED** that the Salinas City Council hereby finds and determines that the above recitals and accompanying Staff Report are true and correct and have served as the basis, in part, for the actions of the City Council set forth below; and

**BE IT FURTHER RESOLVED THAT** the City Council hereby finds that the use of the property in accordance with the terms of the Facility Lease is proper and in the public interest; and

**BE IT FURTHER RESOLVED** that the Mayor Pro Tem of Salinas be and is hereby authorized and directed, for and on behalf of the City of Salinas to execute the attached Facility

Lease agreement between the City of Salinas, a municipal corporation, and Delta Mike Enterprises, LLC; and

**BE IT FURTHER RESOLVED THAT** the City Council hereby determines that the real property interest conveyed by the Facility Lease will not be necessary for municipal purposes during the term of the Facility Lease; and

**BE IT FURTHER RESOLVED THAT** the City Council finds the land to be Exempt Surplus Land pursuant to Government Code Section 54221(f)(1)(G) of the California Government Code, as the FAA has placed limits on the allowable use of the land that preclude the use of the property for housing; and

**BE IT FURTHER RESOLVED THAT** the City Council hereby determines that the proposed Facility Lease is Categorically Exempt pursuant to Public Resources Code 15301, as the Facility Lease does not propose any change of use or expansion of any existing use; and

**BE IT FURTHER RESOLVED** that the City Council authorizes the City Manager or their designee to take such other actions necessary to execute such other documents as are appropriate to effectuate the intent of this Resolution.

PASSED AND APPROVED this 17<sup>th</sup> day of November, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**APPROVED:**

\_\_\_\_\_  
Christie Cromeenes, Mayor Pro Tem

**ATTEST:**

\_\_\_\_\_  
Patricia M. Barajas, City Clerk