

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

**A RESOLUTION APPROVING A FACILITY LEASE FOR 240 MORTENSEN AVE.,  
SUITE 103, SALINAS, CA, 93905, BETWEEN AVIATION SPECIALTIES UNLIMITED  
INCORPORATED AND THE CITY OF SALINAS AT THE SALINAS MUNICIPAL  
AIRPORT**

**WHEREAS**, the City of Salinas is the owner of that real property located at 240 Mortensen Avenue, Suite 103, Salinas, CA, 93905, (the “Premises”), in the City of Salinas, California, County of Monterey; and

**WHEREAS**, by way of Resolution 20121, Aviation Specialties Unlimited Incorporated (ASU) entered into a Facility Lease for the Premises in 2011 (“Facility Lease”); and

**WHEREAS**, ASU’s lease will expire on November 15, 2021; and

**WHEREAS**, the Lease provides hold-over terms following the expiration of the Lease; and

**WHEREAS**, ASU desires to Lease the Premises from the City of Salinas effective December 1, 2021; and

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

**WHEREAS**, on August 5, 2021 the Airport Commission recommended the Salinas City Council approve the attached Facility Lease for the Premises, between ASU 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**, on September 28, 2021, the Salinas City Council adopted Resolution 22219 declaring the parcel of land containing the Property to be Exempt Surplus Land as defined in Government Code Section 54221; and

**WHEREAS**, Salinas Municipal Code Section 37-10.070 allows the City Council to allow land owned or leased by the City of Salinas to be used in a manner that it finds to be proper and in the public interest; 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 Lease is proper and in the public interest; and

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

**BE IT FURTHER RESOLVED THAT** the Salinas 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 Mayor 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 ASU.

PASSED AND APPROVED this 12<sup>th</sup> day of October 2021 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**APPROVED:**

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Kimbley Craig, Mayor

**ATTEST:**

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Patricia M. Barajas, City Clerk