

RESOLUTION NO. _____ (N.C.S.)

**RESOLUTION APPROVING AMENDMENT NO. 2 TO THE GROUND LEASES BETWEEN
THE CITY OF SALINAS AND SEATEC UNDERGROUND UTILITIES, INC. AT THE SALINAS
MUNICIPAL AIRPORT**

WHEREAS, on September 20, 2016, by way of Resolution No. 21054, Seatec Underground Utilities, Inc. (Seatec) entered into a 50-year ground lease (Original Lease) with the City of Salinas for 1.174 acres of land located on the Salinas Airport at 467 Airport Boulevard(the “Property”); and

WHEREAS, on August 27, 2019, by way of Resolution No. 21699, the Lessor and Lessee, amended the Original Lease (Amendment No. 1) for the purposes of increasing the Demised Premises by adding approximately 0.244 acres of land (Lot D-1) for the construction of a 6,000 square foot aeronautical storage hangar as more particularly described in Amendment No. 1; and

WHEREAS, Lessor and Lessee, subject to the terms and conditions in Amendment No. 2, desire to amend the Lease by shifting the boundaries of Lot D-1 to accommodate the construction of a 6,000 square foot aeronautical storage hangar; and

WHEREAS, Lot D-1 Legal Description, Exhibit A, and Plat, Exhibit B dated June 10, 2021, will now be the known physical description and survey information for Lot D-1; and

WHEREAS, at the August 5, 2021 Airport Commission meeting, the Airport Commission recommended City Council move to approve Amendment No. 2 to the Ground Lease between the City of Salinas and Seatec; 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 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 Amendment No. 2 to the Ground Lease between the City of Salinas, a municipal corporation, and Seatec.

PASSED AND ADOPTED this 12th day of October 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

APPROVED:

Kimbley Craig, Mayor

ATTEST:

Patricia Barajas, City Clerk

Attach:

Proposed Amendment No. 2 to Ground Lease