

RESOLUTION NO. 1-18 (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING FIRST AMENDMENT TO SECOND AMENDED LEASE BETWEEN THE CITY OF WATSONVILLE AND MONTEREY BAY AVIATION, INC., A CORPORATION, DBA UNITED FLIGHT SERVICES FOR CITY OWNED PROPERTY LOCATED AT 120 AVIATION WAY, WATSONVILLE, CALIFORNIA, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME

Amends Resolution No. 135-14 (CM)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the First Amendment to Second Amended Lease between the City of Watsonville and Monterey Bay Aviation, Inc., a corporation, dba United Flight Services for City owned property located at 120 Aviation Way, Watsonville, California, a copy of which Lease is attached hereto and incorporated herein by this reference, is fair and equitable and is hereby ratified and approved.

2. That the City Manager be and is hereby authorized and directed to execute such Lease for the initial term, and if properly exercised, the two (2) options of five years for and on behalf of the City of Watsonville.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Watsonville, held on the 16th day of January, 2018, by Member Rios, who moved its adoption, which motion being duly seconded by Member Coffman-Gomez, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCIL MEMBERS: **Bilicich, Coffman-Gomez, Dutra, Garcia, Hernandez, Rios, Hurst**

NOES: COUNCIL MEMBERS: **None**

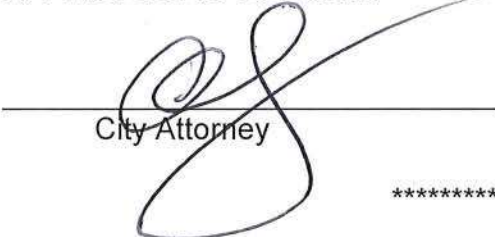
ABSENT: COUNCIL MEMBERS: **None**


Lowell Hurst, Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

I, Beatriz Vázquez Flores, City Clerk of the City of Watsonville, do hereby certify that the foregoing Resolution No. 1-18 (CM) was duly and regularly passed and adopted by the Watsonville City Council at a meeting thereof held on the 16th day of January, 2018, and that the foregoing is a full, true and correct copy of said Resolution.


Beatriz Vázquez Flores, City Clerk

Date Jan 22, 2018

**FIRST AMENDMENT TO SECOND AMENDED LEASE BETWEEN CITY OF WATSONVILLE
AND MONTEREY BAY AVIATION, INC., DBA UNITED FLIGHT SERVICES**

This first amendment to the Lease dated as of October 15th, 2014, is made and entered on the last date signed below, by and between the CITY OF WATSONVILLE, a municipal corporation, "Landlord", and MONTEREY BAY AVIATION, Inc. a corporation doing business as United Flight Services ("Tenant").

Whereas, Landlord and Tenant entered a Second Amended Lease for property commonly known as 120 Aviation Way, Watsonville, CA, dated on or about October 15, 2014 and which the Council approved on October 14, 2014 by Resolution No. 135-14, and

Whereas Landlord and Tenant agree that the initial term of the Second Amended Lease may be changed from twenty to twenty-four years; and

Now therefore, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant agree to the following amendment to the Second Amended Lease:

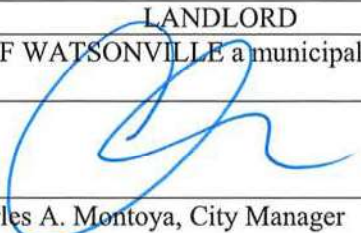


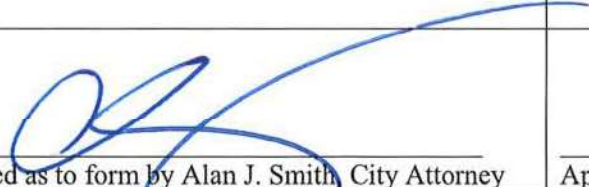
2. Term.

The text of the first paragraph of section 2 is deleted and replaced with the following:

"The initial term of this Lease shall be twenty-four (24) years, which term commenced October 15, 2014 and will expire October 31, 2038, unless sooner terminated or extended under the terms or conditions of this Lease (the "Term")."

The Lease is otherwise ratified and affirmed and shall remain in full force and effect.

IN WITNESS, WHEREOF, the parties hereto have executed this Amendment the day set forth next to the signatures below

| LANDLORD | TENANT |
|--|---|
| CITY OF WATSONVILLE a municipal corporation | Monterey Bay Aviation, Inc., a corporation doing business as United Flight Service |
|  By Charles A. Montoya, City Manager |  By Terrence M. McKenna, its Chief Executive Officer |
| |  By Volker Haag, its Treasurer |
|  Approved as to form by Alan J. Smith, City Attorney | Approved as to form by Tenant Attorney |

ATTEST:

By:


Beatriz V. Flores, City Clerk