

Ordinance authorizing the City Manager, or designee, to execute a second amendment to the lease between Mercury Air Center – Corpus Christi, Inc., dba Atlantic Aviation (“Atlantic”), Atlantic Aviation FBO Holdings, LLC (“Atlantic Holdings”), and the City for completion of \$3,300,000 in capital improvements for an additional 15-year lease term; authorizing the execution of a short-term license agreement as part of the second amendment; and providing for severance, publication, and an effective date.

WHEREAS, by Ordinance No. 030016, the City Council approved the Amended and Restated Hangar and Fixed Base Operator’s Lease (“Lease”) for a five-year term on November 19, 2013, which Lease was later amended (“First Amendment”) by Ordinance No. 030393 on March 14, 2015;

WHEREAS, Atlantic and Atlantic Holdings desire to exercise three five-year options to extend the term of the Lease to January 19, 2034, in exchange for an investment of \$3,300,000 in capital improvements to be completed at the Lease premises; and

WHEREAS, the City, Atlantic, and Atlantic Holdings desire to execute a second amendment (“Second Amendment”) to the Lease for the purpose and reasons stated in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The City Manager, or his designee (“City Manager”), is authorized to execute a Second Amendment to the Lease between Atlantic, Atlantic Holdings, and the City for the exercise of an additional 15-year lease term in exchange for an investment by Atlantic and Atlantic Holdings of \$3,300,000 and full completion of the planned capital improvements, as stated in the Second Amendment. As part of the Second Amendment, the City Manager is also authorized to execute a short-term license agreement with Atlantic and Atlantic Holdings for use of real property adjacent to the Lease premises for the temporary placement of portable buildings to be used during completion of the capital improvements.

SECTION 2. If, for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance is held invalid or unconstitutional by final judgement of a court, it may not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance be given full force and effect for its purpose.

SECTION 3. Publication of this ordinance must be made in the official publication of the City of Corpus Christi as required by the City Charter.

SECTION 4. This ordinance is effective on and after the 61st day passage.

The foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2016, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

The foregoing ordinance was read for the second time and finally passed on this the _____ day of _____, 2016, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Michael Hunter	_____		

PASSED AND APPROVED this the _____ day of _____, 2016.

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor