

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Aviation

AGENDA DATE: October 15, 2019

CONTACT PERSON NAME AND PHONE NUMBER: Monica Lombraña, A.A.E., Managing Director of
Aviation and International Bridges
915 212-7301

DISTRICT(S) AFFECTED: District 2

CITY STRATEGIC GOAL 1: Create an Environment Conducive to Strong, Sustainable Economic Development.

SUBJECT:

This Resolution is to authorize the City Manager to sign the First Amendment to the Fixed Base Operators Lease and Operating Agreement between the City of El Paso ("Lessor") and Franklin Mountain Aviation ELP, LLC ("Lessee") to provide a right of first refusal to Lots 3-9, Block 13, El Paso, El Paso International Airport Tracts, Unit 8, Replat A, City of El Paso, El Paso County, Texas municipally known and numbered as 1800 Hawkins Boulevard, El Paso, Texas.

The lease term is 30 years with four (4) five-year option. The increase in property governed by the first right of refusal will provide additional revenue to the City of El Paso (Lessor).

BACKGROUND / DISCUSSION:

Franklin Mountain Aviation ELP, LLC wishes to have a right of first refusal on vacant property south of their leasehold for future expansion

TERM:

Added to current lease, which was effective s March 6, 2018.

RENTAL FEES:

N/A

PRIOR COUNCIL ACTION:

Original lease approved by council on April 03, 2018 with an effective date of March 6, 2018.

AMOUNT AND SOURCE OF FUNDING:

N/A: This is a revenue-generating item.

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



Monica Lombraña, A.A.E.
Managing Director of Aviation & International Bridges

Information copy to appropriate Deputy City Manager

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager is authorized to sign a First Amendment to the Fixed Base Operators Lease and Operating Agreement by and between the City of El Paso ("Lessor"), and Franklin Mountain Aviation ELP, LLC ("Lessee") to amend Section 11.23, that the property governed by the right of first refusal is:

Lots 3-9, Block 13, El Paso International Airport Tracts, Unit 8, Replat A, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 56, Page 54, El Paso County, Texas

Dated this ____ day of _____ 2019.

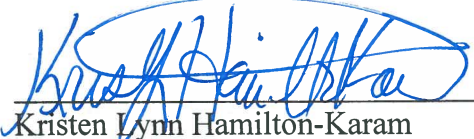
CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Kristen Lynn Hamilton-Karam
Assistant City Attorney

APPROVED AS TO CONTENT:



Monica Lombraña, A.A.E.
Managing Director of Aviation and
International Bridges

STATE OF TEXAS)
COUNTY OF EL PASO)

**First Amendment to the Fixed Base Operators Lease
and Operating Agreement**

This First Amendment to the Fixed Base Operators Lease and Operating Agreement (the "Lease") is entered on _____ 2019 ("Effective Date") between the City of El Paso ("Lessor"), a home-rule municipality existing under the laws of the State of Texas, and Franklin Mountain Aviation ELP, LLC a Texas Limited Liability Company ("Lessee").

WHEREAS, Lessor and Lessee entered into the Lease on March 6, 2018 that provided a right of first refusal to Lessee for a parcel of land adjacent to its leasehold interest; and

WHEREAS, the parties wish to amend the Lease to extend the property governed by the right of first refusal, which will benefit the City of El Paso by allowing for an efficient lease process, continuity of use with an aviation based Lessee, and if the Lessee expands its leasehold interest, would provide the additional revenue from the Airport managed property.

NOW THEREFORE The parties agree as follows:

1. The "Option Premises" contained Section 11.23 Right of First Refusal. is amended to read as follows:

Lots 3-9, Block 13, El Paso International Airport Tracts, Unit 8, Replat A, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 56, Page 54, El Paso County, Texas.

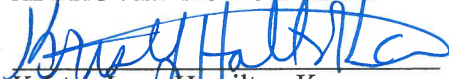
2. Except as amended in this First Amendment, the Lease remains in full force and effect.

IN WITNESS WHEREOF, this Lease has been approved on the _____ day of _____ 2019.

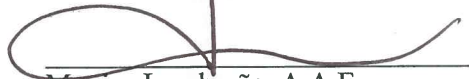
LESSOR: CITY OF EL PASO

Tomás González
City Manager

APPROVED AS TO FORM:


Kristen Lynn Hamilton-Karam
Assistant City Attorney

APPROVED AS TO CONTENT:


Monica Lombraña, A.A.E.
Managing Director of Aviation and International Bridges

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____ 2019, by Tomás González as City Manager of the City of El Paso, Texas.

Notary Public, State of Texas

My Commission Expires:

(Signatures continue on the following page)

By: _____
Printed Name: _____
Title: _____

THE STATE OF TEXAS)

COUNTY OF EL PASO)

Notary Public, State of Texas
