



Agenda Date: 1/29/2008

Agenda Placement: 6K

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Michael Stoltz for Peterson, Robert - Director
Airport
REPORT BY: Kathleen Dubrin, Staff Services Analyst II - 259-8683
SUBJECT: Amendment No. 1 to Napa County Agreement No. 4858 with Tallwood Management Co., LLC

RECOMMENDATION

Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4858 with Tallwood Management Co., LLC consenting to the assignment and assumption of the lease to Sunset Aviation, Inc.

EXECUTIVE SUMMARY

Lease Agreement No 4858 with Tallwood Management Co., LLC dated October 1, 2002 will expire on September 30, 2022, subject to an additional five year renewal term. Approval of Amendment No. 1 is being requested to allow the Lessee to assign its interest in the Agreement to Sunset Aviation, Inc.. The Agreement states that a transfer and all of its interest may be assigned to another party upon receiving prior written consent from the County. All other terms of the lease shall remain in full force and effect.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On October 1, 2002, the Board of Supervisors approved Lease Agreement No. 4858 between the County of Napa and Tallwood Management Co., LLC for the construction and use thereafter of a private aircraft storage hangar. The leased premises includes approximately 37,200 square feet of land located at the Napa County Airport.

Paragraph 16 of the Agreement states that Tallwood Management Co., LLC may transfer and assign all of its interest in the Agreement to another party upon receiving written consent from the County. Approval of Amendment No. 1 would transfer assignment of the lease to Sunset Aviation, Inc. for the remaining term of the lease which expires on September 20, 2022. The term is subject to one (1) additional five (5)-year term.

The Estoppel Certificate certifies to Tallwood Management Co., LLC that the lease has not been amended in any respect and acknowledges consent of the sale and assignment of the lease by the tenant to Sunset Aviation. The rent due under Lease Agreement No. 4858 will remain at \$781 per month and is subject to an annual CPI adjustment.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi