

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A SECOND AMENDMENT TO THE GROUND LEASE WITH HWD AAS HANGAR, LLC (DBA APP JET CENTER)

WHEREAS, the City of Hayward (“City”) owns and operates Hayward Executive Airport (“Airport”); and

WHEREAS, on February 27, 2018, the City of Hayward approved a lease with Briggs Resources, Inc., for property located at 21015 Skywest Drive; and

WHEREAS, on February 19, 2019 the City of Hayward approved an assignment of the lease to GBHWD, LLC, of which Briggs Resources, Inc., is the sole member; and

WHEREAS, on February 19, 2019 the City approved a First Amendment related to the removal of an existing 15-foot storm drain easement from the legal description and plat for the lease; this action would allow for the construction of a foundation for the proposed hangars; and

WHEREAS, on May 23, 2023 the ground lease was assigned to HWD AAS Hangar, LLC (dba APP Jet Center); and

WHEREAS, HWD AAS Hangar, LLC (dba APP Jet Center) is requesting a Second Amendment in order to address updated specifics on size of the new hangar and office; a change in schedule to build new hangar and office building; an automatic extension of term if construction is completed in a timely manner; a change to period of time for implementation of reduced rent while hangar is under construction; and clarification to grace or cure period prior to default.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to negotiate and execute a Second Amendment to the ground lease with HWD AAS Hangar, LLC (dba APP Jet Center) as set forth in the staff report for this item, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2023

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
          City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward