

**RESOLUTION NO. 74833**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF AVIATION TO NEGOTIATE AND EXECUTE FUTURE LEASES FOR TERMINAL SPACE WITH NON-SIGNATORY AIRLINES OPERATING AT THE NORMAN Y. MINETA SAN JOSE INTERNATIONAL AIRPORT**

**WHEREAS**, it was originally contemplated that airlines leasing terminal space would execute Signatory Lease and Operating Agreements with the City of San Jose ("City"); and

**WHEREAS**, unlike the Signatory Airline Lease and Operating Agreement, the Non-Signatory Airline Operating Agreement does not include the terms and conditions necessary for leasing terminal space at the Airport; and

**WHEREAS**, authorizing the Director of Aviation to enter into future leases of Airport premises with Non-Signatory Airlines will enable the Airport to respond to future requests from Non-Signatory Airlines in an efficient manner, particularly in the case of a new airline starting service at the Airport;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Director of Aviation is hereby authorized to negotiate and execute future leases for terminal space with Non-Signatory Airlines operating at the Norman Y. Mineta San Jose International Airport, at a space rental rate calculated pursuant to the terms of the Signatory Airline Lease and Operating Agreement and subject to the twenty-five

percent (25%) premium on all Non-Signatory Airline rates and charges as provided in the Signatory Airline Lease and Operating Agreement.

ADOPTED this 17<sup>th</sup> day of March, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, HERRERA, LICCARDO, NGUYEN,  
OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: CHU, CONSTANT, KALRA.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk