

RESOLUTION NO. 75665

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF AVIATION TO APPROVE FUTURE SUBLEASE AGREEMENTS BETWEEN SJC FUEL COMPANY LLC AND THIRD PARTIES AS NECESSARY FOR THE CONTINUED OPERATION AND MODIFICATION OF THE FUEL FARM

WHEREAS, SJC Fuel Company LLC ("SJC Fuel") is an airline consortium which was given the authority to develop, construct and maintain the Airport's commercial aviation fuel farm system under a 30-year Ground Lease dated May 2, 2006; and

WHEREAS, SJC Fuel and Wickland Pipelines LLC ("Wickland") have entered into a 20-year Sublease Agreement with year-to-year extensions thereafter for fuel delivery via an underground pipeline between the Kinder Morgan Terminal and SJC Fuel's storage tank site located on Airport property at 2500 Seabord Avenue; and

WHEREAS, though there currently are no other proposed Sublease Agreements, it is recommended that Council grant authority to the Director to approve and execute future Sublease Agreements as necessary for the continued operation and modification of the fuel farm;

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

The Director of Aviation is authorized to approve future Sublease Agreements between SJC Fuel Company LLC and third parties as necessary for the continued operation and modification of the fuel farm.

ADOPTED this 14th day of December, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk