

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF AVIATION TO NEGOTIATE AND EXECUTE AMENDMENTS FOR ALL ON-AIRPORT RENTAL CAR CONCESSION AGREEMENTS AT THE SAN JOSE MINETA SAN JOSE AIRPORT

WHEREAS, the City of San José (“City”) owns and operates the Mineta San José International Airport (“Airport”); and

WHEREAS, City’s City Council desires to adopt this resolution for the reasons set forth in that certain memorandum, dated March 29, 2023, from the Director of Aviation and John Aitken for the April 11, 2023 City Council meeting;

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 amendments for all On-Airport Rental Car (“Rental Cars”) concession agreements to:

- a. Extend the term retroactive from July 1, 2020, to June 30, 2030;
- b. Provide temporary financial relief to Rental Cars operating on the Airport premises retroactive from July 1, 2020, through June 30, 2021, to support operations that were directly impacted by Airport passenger activity declines as a result of the COVID-19 pandemic;
- c. Revise and add certain Customer Facility Charge (“CFC”) defined terms;
- d. Revise and restate the definition of Gross Revenues to include alternative energy sources;
- e. Modify certain “Reallocation of Tenant’s Premises” provisions concerning the ready return areas and quick turn around areas;
- f. Defer the reallocation date from 2020 to 2023;

- g. Defer rent adjustment appraisals to a later date and allow the Director the authority to waive appraisals and adjust rent of leased premises by Consumer Price Index (CPI); and
- h. Add provisions required under the City's Municipal Code, California law, and federal law and regulations.

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ADOPTED this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk