



Contra  
Costa  
County

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: February 10, 2015

Subject: Approval of Consent to Assignment of Lease between C.C. County & Pacific Whole Foods Corp. & Excelsior JD Co for property at 2301 Meridian Park Blvd.

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**RECOMMENDATION(S):**

**APPROVE** and **AUTHORIZE** the Director of Airports, or his designee, to execute on behalf of the County a Consent to Assignment that will permit the County's current tenant, Pacific Whole Foods Corporation, to assign its lease of the County-owned property located at 2301 Meridian Park Boulevard, Concord to Excelsior JD Co., Concord area.

**FISCAL IMPACT:**

There is no negative impact on the General Fund. The Airport Enterprise Fund will continue to receive lease and other revenues provided for in the Lease. The County General Fund will continue to receive property, sales and possessory interest tax revenues from the Lease.

**BACKGROUND:**

Under a ground lease dated October 1, 2010, the County leased the subject property to Caffino Express LLC for the purpose of providing gourmet coffee and espresso and related

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **02/10/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I  
Supervisor

Mary N. Piepho, District III  
Supervisor

Karen Mitchoff, District IV  
Supervisor

Federal D. Glover, District V  
Supervisor

ABSENT: Candace Andersen, District II  
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 10, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee (844) 359-8687

cc:

### BACKGROUND: (CONT'D)

services at Buchanan Field Airport. The Board authorized a lease assignment from Caffino Express LLC to Rhone LLC on October 23, 2012. On June 24, 2014, the Board authorized the County's consent to an assignment of the lease from Rhone LLC to Pacific Whole Foods Corporation, which was effected by the merger of Rhone LLC with Pacific Whole Foods Corporation.

Pacific Whole Foods Corporation desires to assign all of its interest in the lease to Excelsior JD Co. An assignment of the lease requires the written consent of the County. This action authorizes consent to the assignment. This action does not amend or alter the terms of the existing lease.

### CONSEQUENCE OF NEGATIVE ACTION:

The County will not consent to the assignment of the lease and Pacific Whole Foods Corporation will not be able to assign its interest in the lease.

### CHILDREN'S IMPACT STATEMENT:

Not Applicable

### ATTACHMENTS

Assignment