



Contra  
Costa  
County

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: April 16, 2019

Subject: APPROVAL of Consent to Assignment of Lease between the County, Michael J. Oakes and VOLY RE LLC,  
APPROVAL of a First Amendment to Lease between the Co

### **RECOMMENDATION(S):**

- A. APPROVE and AUTHORIZE the Director of Airports, or his designee, to execute on behalf of the County, a Consent to Assignment of Lease (Consent) between the County and the current tenant, Michael J. Oakes, and the new tenant, VOLY RE LLC, to assign Mr. Oakes' lease of County-owned property located at at 1500 Sally Ride Drive, Concord to VOLY RE LCC, subject to the satisfaction of all conditions precedent set forth in the Consent and provided that the form of the Consent is approved by County Counsel.
- B. APPROVE and AUTHORIZE the Director of Airports, or his designee, to accept on behalf of the County, a guaranty of lease from VOLTANS-I, INC., to guaranty the payments due under the lease, and the faithful and prompt performance of each and every term, condition and covenant under the lease through June 30, 2023.
- C. APPROVE and AUTHORIZE the Director of Airports, or his designee, to execute on behalf of the County an amendment to the Lease to make its terms consistent with the new business operations.

☒ APPROVE ☐ OTHER  
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/16/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

### **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V 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: April 16, 2019

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)  
681-4200

cc:

**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:**

The County entered into a ground lease with Michael J. Oakes on June 21, 2016, for property at Buchanan Field Airport located at 1500 Sally Ride Drive, Concord. Michael J. Oakes now desires to assign all of his interest in the lease to VOLY RE LLC, which action requires the written consent of the County. Staff recommends (1) consent to assignment, (2) acceptance of a guaranty of payments under the lease through June 30, 2023, by VOLANS-I, Inc., and (3) execution of an amendment to the lease to permit the auxiliary aviation uses that will occur as a result of the assignment.

**CONSEQUENCE OF NEGATIVE ACTION:**

Michael J. Oakes will not be able to assign his interest in the lease.