

RESOLUTION NO.

Resolution Of The City Council Of The City Of Emeryville Approving The Amended And Restated Sport Fishing Concessions Agreement Between The City Of Emeryville And Andrew Guilano And Authorizing The City Manager To Execute The Agreement

WHEREAS, the City of Emeryville owns a marina, which consists of certain real property and improvements, commonly referred to as the "Marina"; and

WHEREAS, in 2008, the City entered into a Second Amended and Restated Agreement of Ground Lease with Emeryville Marina, LLC, which has been subsequently amended, and assigned to Safe Harbor Marinas Emeryville, LLC; and

WHEREAS, since 1988, the City has had a third party operate a sport fishing concession at the Marina in which a third party scheduled fishing trips for the sport fishing operators at the Marina and remitted business tax from the sport fishing boat operators to the City along with other services; and

WHEREAS, on September 6, 2016, the City Council adopted Resolution No. 16-123, approving the assignment of the sport fishing concession to the current Concessionaire; and

WHEREAS, the City desires to continue to have a third party operate a sport fishing concession at the Marina, subject to the Ground Lease at the Marina; and

WHEREAS, the Parties desire to amend and restate their existing agreement; and therefore be it

RESOLVED, the City Council of the City of Emeryville approves the Amended and Restated Sport Fishing Concessions Agreement with Andrew Guiliano and authorizes the City Manager to execute the agreement, attached hereto as Attachment A, on behalf of the City.

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, March 20, 2018, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY