

RESOLUTION NO. 18 - 30

A RESOLUTION RELATING TO AUTHORIZING THE APPROVAL OF A SHADE T-HANGAR LEASE AGREEMENT AT THE COMMERCE MUNICIPAL AIRPORT BETWEEN THE CITY OF COMMERCE AND THOMAS DEUANE HUBERT; GRANTING AUTHORITY TO THE MAYOR TO EXECUTE SAID RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID RESOLUTION, AND AUTHORIZING CITY MANAGER TO EXECUTE ANY AND ALL OTHER INSTRUMENTS REQUISITE IN IMPLEMENTING SAID RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO THE AGREEMENT AND ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING THIS RESOLUTION.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 20th day of November 2018, at 6:00 p.m.; a majority of council members being present and constituting a quorum, the following resolution was adopted:

WHEREAS, Chapter 18, Section 18-78, (a) General Rules and Regulations, (12) Licensed Pilots of the Commerce Code of Ordinances states, “only aircraft with current and correct FAA certificates of registration and airworthiness and persons holding valid and current airman and medical certificates issued by the FAA, for those flight operations requiring medical certificates, shall be authorized to operate aircraft upon the airport except as provided in this section/order”;

AND WHEREAS, Chapter 18, Section 18-78, (a) General Rules and Regulations, (13) Registration and Log Entries of the Commerce Code of Ordinances states, “each person owning an aircraft based at the airport, or any person based and receiving flight instruction toward an FAA rating at the airport shall register at the office of the airport manager their name, address, telephone number, aircraft model, aircraft registration "N" number, or make and model of aircraft for those aircraft not requiring registration (ultralight), and the name, address, and telephone number of their next of kin or person to be notified in case of an accident or emergency. Additionally, the log entries for each aircraft shall be presented to the airport manager for annual inspection”;

AND WHEREAS, Chapter 18, Section 18-78, (f) Lease of Airport Property and Construction on Airport of the Commerce Code of Ordinances allows for “hangars and other buildings or structures owned by the city may be leased to private individuals, companies, or corporations on a monthly or yearly basis

for the storage of aircraft and ancillary equipment or to conduct a commercial fixed base operation (FBO)”;

AND WHEREAS, the Commerce Municipal Airport currently has three Shade T-Hangars with two currently available for lease;

AND WHEREAS, Thomas Deuane Hubert has requested to enter into a lease agreement with the City of Commerce to lease the South East Shade T-Hangar at the Commerce Municipal Airport;

AND WHEREAS, Thomas Deuane Hubert has provided confirmation of a current FAA aircraft registration, current pilot’s license (#3986276), current aircraft insurance, and adequate contact information;

AND WHEREAS, after careful deliberation by the City Council of the City of Commerce, it is deemed to be in the best interest and general welfare of the City of Commerce, that said Shade T-Hangar agreement be approved, a copy of which is attached hereto and marked Exhibit “A” and made a part hereof as if copied herein verbatim;

AND WHEREAS, the proposed agreement between Thomas Deuane Hubert and the City of Commerce, be approved and accepted and is hereby approved and accepted in all respects.

THEREFORE, BE IT RESOLVED, that the Mayor of the City of Commerce, Texas, be authorized and he is hereby authorized to execute this resolution;

BE IT FURTHER RESOLVED, that the City Secretary be authorized, and she is hereby authorized to attest to the signature of the Mayor to this resolution;

BE IT FURTHER RESOLVED, that the City Manager be authorized, and he is hereby authorized to execute the agreement and any and all instruments requisite in implementing said resolution;

BE IF FURTHER RESOLVED, that the City Secretary be authorized, and she is hereby authorized to attest to the signature of the City Manager to any and all instruments requisite in implementing this resolution;

PASSED BY THE GOVERNING BODY of the City of Commerce, Texas, at a regular meeting of the City Council of the City of Commerce, Texas, on the 20th day of November 2018.

ATTEST:

CITY OF COMMERCE, TEXAS

Molly Jacobsen, City Secretary

Wyman Williams, Mayor

(Seal)

APPROVED AS TO FORM:

Patricia Adams, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution and that the same has not been repealed and is in full force and effect.

(Seal)

Molly Jacobsen, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the _____ day of _____, 2018, to certify which witness my hand and seal of office.

Notary Public, State of Texas