

1 [Lease Termination Agreement - SSP America, Inc. - Terminal 2 Casual Dining Food and
2 Beverage Concession - Lease 6]

3 **Resolution approving the Lease Termination Agreement for the Terminal 2 Casual**
4 **Dining Food and Beverage Concession Lease 6, Lease No. 18-0074 between SSP**
5 **America, Inc., as tenant, and the City and County of San Francisco, acting by and**
6 **through its Airport Commission, as Landlord.**

7
8 WHEREAS, On March 20, 2018, by Resolution No. 18-0074, the Airport Commission
9 (Commission) awarded the Terminal 2 Casual Dining Food and Beverage Concession Lease
10 6, Lease No. 18-0074 (Lease) to SSP America, Inc. (Tenant); and

11 WHEREAS, On October 30, 2018, by Resolution No. 366-18, this Board of Supervisors
12 approved the Lease; and

13 WHEREAS, On September 10, 2019, by Resolution No. 19-0204, the Commission
14 authorized Amendment No. 1 to the Lease (Amendment No. 1), which extended the term of
15 the Lease through April 30, 2031, to allow for a longer development cost amortization period;
16 and

17 WHEREAS, On October 6, 2020, by Resolution No. 478-20, this Board of Supervisors
18 approved Amendment No. 1; and

19 WHEREAS, On October 6, 2020, by Resolution No. 20-0180, the Commission adopted
20 the COVID-19 Emergency Rent Relief Program for Airport Concession Tenants, which was
21 memorialized in Amendment No. 2 to the Lease (Amendment No. 2); and

22 WHEREAS, On January 5, 2021, by Ordinance No. 5-21, this Board of Supervisors
23 approved Amendment No. 2; and

24 WHEREAS, On September 5, 2023, by Resolution No. 23-0224, the Commission
25 approved Amendment No. 3 to the Lease (Amendment No. 3), which added three years and

1 six months to the operating term as part of the Airport's COVID-19 Lease Extension Program;
2 and

3 WHEREAS, On April 2, 2024, by Resolution No. 157-24, this Board of Supervisors
4 approved Amendment No. 3; and

5 WHEREAS, On August 19, 2025, by Resolution No. 25-0130, the Commission
6 approved Amendment No. 4 to the Lease (Amendment No. 4), authorizing the Airport Director
7 to implement the Food and Beverage Minimum Annual Guarantee Rent Reduction Program;
8 and

9 WHEREAS, On January 13, 2026, by Resolution No. 18-26, this Board of Supervisors
10 approved Amendment No. 4; and

11 WHEREAS, In the eight years of its operation, Sweet Maple has been underperforming
12 on a sales per square foot basis, compounding this with the drop in passengers in Terminal 2,
13 beginning at the start of the pandemic, and which continues with airline moves to Harvey Milk
14 Terminal 1; and

15 WHEREAS, Airport staff believe that closing this underperforming concession and
16 repurposing the space for a higher and better use will allow the Airport to earn significantly
17 more revenue; and

18 WHEREAS, On March 4, 2025, by Resolution No. 25-0044, the Airport Commission
19 approved a lease termination agreement, which required a termination fee of \$125,000, paid
20 through forfeiture of Tenant's security deposit of the same amount, however, shortly after
21 such approval, Airport staff elected to pause on moving forward with final approval of the
22 agreement by this Board of Supervisors; and

23 WHEREAS, At the time, the termination fee represented remuneration to the Airport for
24 space that would sit idle for a year, and with further discussions, the Tenant committed to
25

1 continue operating in the premises until the premises were required for use by the next tenant,
2 estimated to be September 1, 2026, approximately a year longer than previously planned; and

3 WHEREAS, On May 19, 2026, by Resolution No. 26-0128, the Airport Commission
4 approved the Repeal of Resolution No. 25-0044 Approving the Lease Termination Agreement
5 and a new lease termination agreement with no early termination fee, with the commitment
6 from the Tenant to continue operating in the premises until needed by the next tenant,
7 estimated to be September 1, 2026, which benefits the Airport by preserving concession
8 services available to the traveling public, preserving revenue to the Airport, and providing
9 continued employment for Sweet Maple staff; now, therefore, be it

10 RESOLVED, That this Board of Supervisors hereby approves the Lease Termination
11 Agreement for the Terminal 2 Casual Dining Food and Beverage Concession Lease No. 6,
12 Lease No. 18-0074; a copy of which is on file with the Clerk of the Board of Supervisors in File
13 No. _____; and, be it

14 FURTHER RESOLVED, That within thirty (30) days of the lease being fully-executed by
15 all parties, the Airport Commission shall provide the final lease to the Clerk of the Board for
16 inclusion into the official file.

17
18
19
20
21
22
23
24
25