

1 [Lease Amendment - D-Lew Enterprises, LLC - Domestic Terminal Food and Beverage  
2 Program - Term Extension]

3 **Resolution approving Amendment No. 2 to Domestic Terminal Food and Beverage**  
4 **Lease No. 03-0203 between D-Lew Enterprises, LLC, and the City and County of San**  
5 **Francisco, acting by and through its Airport Commission, for a second extension of**  
6 **the term for three years to no later than December 31, 2023, with a condition that the**  
7 **Airport Director, at their sole and absolute discretion, may terminate earlier by**  
8 **providing six months' advance written notice, with no change to the current**  
9 **minimum annual guarantee, subject to adjustment in accordance with the terms and**  
10 **conditions of the Lease, effective upon approval by the Board of Supervisors.**

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12 WHEREAS, On September 29, 2003, by Resolution No. 03-0203, the Airport  
13 Commission (Commission) awarded Domestic Terminal Food and Beverage Program Lease  
14 No. 03-0203 (Lease) to D-Lew Enterprises, LLC (D-Lew); and

15 WHEREAS, On December 9, 2003, by Resolution No. 775-03, the Board of  
16 Supervisors approved the Lease; and,

17 WHEREAS, On May 22, 2009, by Resolution No. 09-0118, the Commission exercised  
18 the sole option to extend the term of the Lease, thereby extending the term to December 14,  
19 2016; and,

20 WHEREAS, On December 19, 2017, by Resolution No. 17-0317, the Commission  
21 approved Amendment No. 1 to the Lease extending the term to December 31, 2020 to  
22 maintain concession operations in advance of Terminal 3 West construction; and

23 WHEREAS, On July 31, 2018, by Resolution No. 277-18, the Board of Supervisors  
24 approved Amendment No. 1 to the Lease; and

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1           WHEREAS, On September 15, 2020, by Resolution No. 20-0158, the Commission  
2 approved Amendment No. 2 to the Lease to again extend the term of the Lease to maintain  
3 concession operations in advance of the Terminal 3 West construction, halted due to the  
4 COVID-19 pandemic; now, therefore, be it

5           RESOLVED, That this Board of Supervisors approves Amendment No. 2 to the  
6 Domestic Terminal Food and Beverage Program Lease No. 03-0203 with D-Lew Enterprises,  
7 LLC to extend the term of the Lease to no later than December 31, 2023, with a condition that  
8 the Airport Director, at his sole and absolute discretion, may terminate earlier by providing six  
9 months' advance written notice, a copy of which is on file with the Clerk of the Board of  
10 Supervisors in File No. 201346; and be it

11           FURTHER RESOLVED, That within thirty (30) days of the amendment being fully  
12 executed by all parties, the Airport Commission shall provide the final amendment to the Clerk  
13 of the Board for inclusion into the official file.

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