

1 [Revenue Agreement Amendment - JC Decaux San Francisco, Inc. - Extending Term to  
2 December 16, 2017]

3 **Resolution approving the Third Amendment to the Revenue Agreement between San**  
4 **Francisco Public Works and JC Decaux San Francisco, LLC, for the Automatic Public**  
5 **Toilet and Public Service Kiosk Program extending the contract term by 60 days,**  
6 **changing the termination date from October 17, 2017, to December 16, 2017.**

7

8 WHEREAS, San Francisco Public Works entered into an agreement with JC Decaux  
9 San Francisco, Inc., for a public toilet and public service kiosk pilot program, with an effective  
10 date of August 2, 1994; and

11 WHEREAS, The Board of Supervisors approved a First Amended and Restated  
12 Automatic Public Toilet and Public Service Kiosk Agreement (“JC Decaux Agreement”) on  
13 December 7, 1998, which expanded the program beyond the trial phase with a term ending on  
14 October 17, 2016; and

15 WHEREAS, On December 14, 2015, the parties executed a first amendment to the JC  
16 Decaux Agreement to allow installation of temporary personal wireless services in the kiosks;  
17 and

18 WHEREAS, On October 28, 2016, the Board of Supervisors approved a second  
19 amendment to the JC Decaux Agreement to extend the term of the agreement to October 17,  
20 2017; and

21 WHEREAS, The JC Decaux Agreement, the First Amendment to the Agreement, and  
22 the Second Amendment to the Agreement are on file with the Clerk of the Board of  
23 Supervisors in Files No. 161019 and 981599, which are hereby declared to be a part of this  
24 Resolution as if set forth fully herein; and

25

1           WHEREAS, SF Public Works needs additional time to complete negotiations with JC  
2   Decaux on a subsequent agreement to ensure that proposed new public toilets and public  
3   service kiosks meet all City design and review requirements; and

4           WHEREAS, SF Public Works cannot complete all of the required reviews and  
5   approvals for the new Toilets and Kiosks before the current agreement expires; and

6           WHEREAS, Charter, Section 9.118(a) requires that amendments to contracts that  
7   when entered into had anticipated revenues of \$1,000,000 or more be approved by the Board  
8   of Supervisors; now, therefore, be it

9           RESOLVED, That the San Francisco Board of Supervisors approves the Third  
10   Amendment to the JC Decaux Agreement as amended, which extends the term of the JC  
11   Decaux Agreement by 60 days to December 16, 2017; and, be it

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

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25