

1 [Approval of Amendment No. 1 of Lease, Use and Operating Agreement for BART Station and
2 Related Facilities and Grant of Easement at San Francisco International Airport, Lease No.
3 L97-0081.]
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5 **Resolution approving and authorizing the execution of Amendment No. 1 to Lease, Use**
6 **and Operating Agreement for BART Station and Related Facilities and Grant of**
7 **Easement at San Francisco International Airport, Lease No. L97-0081 to: (1) limit BART**
8 **Premium Fare (surcharge) for non-airline airport employees to \$1.50 each way for the**
9 **remainder of the Lease; (2) remove BART Faithful Performance Deposit requirement;**
10 **(3) permit monthly payment by BART of the annual rent in lieu of advance annual**
11 **payment; (4) allow advertising by BART in the Airport-BART Station; and (5) include**
12 **administrative updates to the Lease.**

13 WHEREAS, by Airport Commission Resolution No. 97-0081, the City and County of
14 San Francisco, acting by and through its Airport Commission (“**City**”) approved the Lease,
15 Use and Operating Agreement for BART Station and Related Facilities and Grant of
16 Easement at San Francisco International Airport, Lease No. L97-0081 (“**Lease**”), adopted
17 on April 8, 1997, between San Francisco Bay Area Rapid Transit District (“**BART**”) and the
18 City; and

19 WHEREAS, by Board of Supervisors Resolution No. 621-97, the Board of
20 Supervisors approved the Lease on June 27, 1997 between BART and City; and

21 WHEREAS, on July 1, 2009, BART increased the surcharge portion of the fare
22 (“**Premium Fare**”) from \$1.50 to \$4.00 each way for all persons accessing BART from the
23 Airport-BART Station; and

24 WHEREAS, the Airport desires to alleviate the increase in the Premium Fare to non-
25 airline Airport badged employees accessing the Airport-BART Station by limiting the Premium
26 Fare to \$1.50 each way for the remainder of the Lease; and

1 WHEREAS, in consideration of BART’s agreement to this request, City and BART
2 desire to amend the Lease to: (1) limit the Premium Fare to \$1.50 each way for non-airline
3 Airport employees; (2) remove BART’s Faithful Performance Deposit; (3) permit monthly rent
4 payments in lieu of advance annual payment; (4) allow BART advertising in the Airport-BART
5 Station; and (5) include contact details and applicable City and other governmental provisions;
6 now, therefore, be it

7 RESOLVED, that this Board of Supervisors hereby approves and authorizes the
8 execution of Amendment No. 1 to the Lease, Use and Operating Agreement for BART Station
9 and Related Facilities and Grant of Easement at San Francisco International Airport, Lease
10 No. L97-0081 between San Francisco Bay Area Rapid Transit District (“**BART**”) and the City
11 and County of San Francisco acting through its Airport Commission (“**City**”) to: (1) limit the
12 Premium Fare to \$1.50 each way for non-airline Airport employees; (2) remove BART’s
13 Faithful Performance Deposit; (3) permit monthly rent payments in lieu of advance annual
14 payment; (4) allow BART advertising in the Airport-BART Station; and (5) include contact
15 details and applicable City and other governmental provisions.
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