

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 20-0251

**APPROVAL OF AMENDMENT NO. 4 TO THE TERMINAL 3 BOARDING AREA F GOURMET FOOD AND GIFT STORE LEASE NO. 10-0309 WITH MARILLA CHOCOLATE COMPANY, INC.**

WHEREAS, on October 5, 2010, by Resolution No. 10-0309, the Airport Commission (Commission) awarded the Terminal 3 Boarding Area F Gourmet Food and Gift Store Lease to Marilla Chocolate Company, Inc. (Marilla) for a term of seven years, which expired on April 30, 2018 (Lease); and

WHEREAS, on March 5, 2019, by Resolution No. 19-0044, the Commission approved Amendment No. 1 to the Lease extending the term to December 31, 2019; and

WHEREAS, on December 3, 2019, by Resolution No. 19-0306, the Commission approved Amendment No. 2 to the Lease extending the term to May 31, 2020; and

WHEREAS, on October 6, 2020, by Resolution No. 20-0180, the Commission adopted the COVID-19 Emergency Rent Relief Program for Airport Concession Tenants, which will be memorialized in Amendment No. 3 to the Lease; and

WHEREAS, Staff has determined that, due to the COVID-19 pandemic and the resulting severe decline in enplanements and concession traffic, commencing a new Request for Proposals process for this Lease would not be prudent because there would not be sufficient interest to conduct a strong competitive process; and

WHEREAS, extending the term of this Lease is necessary to avoid losing concessions, preserve customer service, and maintain revenue; now, therefore, be it

RESOLVED, that this Commission hereby approves Amendment No. 4 to the Terminal 3 Boarding Area F Gourmet Food and Gift Store Lease No. 10-0309 with Marilla Chocolate Company, Inc., extending the term to June 30, 2023 with the condition that the Airport Director, at his sole and absolute discretion, may terminate earlier by providing six months' advance written notice; and, be it further

RESOLVED, that this Commission hereby directs the Commission Secretary to seek approval of Lease Amendment No. 4 from the Board of Supervisors pursuant to Section 9.118 of the Charter of the City and County of San Francisco.

*I hereby certify that the foregoing resolution was adopted by the Airport Commission  
at its meeting of* \_\_\_\_\_

DEC 15 2020

\_\_\_\_\_  
Secretary