

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 10-0081

APPROVAL OF LEASE AND USE AGREEMENT WITH CATHAY PACIFIC AIRWAYS LIMITED PROVIDING FOR OPERATING RIGHTS AND RENTAL OF TERMINAL SPACE AT SAN FRANCISCO INTERNATIONAL AIRPORT.

- WHEREAS,** Cathay Pacific Airways Limited (“**Airline**”) conducts flight operations at San Francisco International Airport (the “**Airport**”) pursuant to Lease and Operating Agreement L99-0321 which expires on June 30, 2011; and
- WHEREAS,** the Airport has negotiated the terms of a new Lease and Use Agreement to be effective July 1, 2011 (the “**2011 Lease**”); and
- WHEREAS,** the 2011 Lease will have a term of ten (10) years and provides for terminal rental and landing fees in accordance with the Airport’s Rates and Charges; and
- WHEREAS,** the Airport Commission of the City and County of San Francisco, acting by and through its Airport Commission (the “**Commission**”) and Airline now desire to enter into the 2011 Lease; and
- WHEREAS,** in order to facilitate the implementation of the 2011 Lease and the placement in service of new facilities, the Commission desires to authorize the Airport Director to enter into non-material modifications to the 2011 Lease, including changes to the demised premises of not-to-exceed 10% of leased square footage, that the Airport Director determines, in consultation with the City Attorney, are in the best interests of the Commission, do not otherwise materially increase the obligations or liabilities of the Commission, are necessary or advisable to effectuate the purposes of the 2011 Lease or this Resolution, and are in compliance with all applicable laws, including City’s Charter; now, therefore, be it
- RESOLVED,** that this Commission approves the 2011 Lease between the Airline and the City, consistent with the terms of the attached memorandum, subject to the Airline complying with Chapter 12B of the City’s Administrative Code and other City contracting requirements, or obtaining the appropriate waivers thereto; and be it further
- RESOLVED,** that this Commission authorizes the Airport Director to execute said 2011 Lease and to enter into any non-material modifications thereto, including changes to the demised premises of not-to-exceed 10% of leased square footage, as described above; and be it further
- RESOLVED,** that the Commission Secretary is hereby directed to request Board of Supervisors’ approval of said Lease and Use Agreement pursuant to City Charter Section 9.118.

I hereby certify that the foregoing resolution was adopted by the Airport Commission

at its meeting of _____

MAR 16 2010

Jean Comati
Secretary