

1 [Waiving Competitive Process Requirement - Lease Agreement - Amoura International, Inc. -
2 Interim Employee Café]

3 **Ordinance waiving the competitive process requirement of Administrative Code,**
4 **Section 2A.173, for a lease agreement between Amoura International, Inc., and the City**
5 **and County of San Francisco, by and through its Airport Commission, for an interim**
6 **employee café at Airport Terminal 1.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Background and Findings. The employee café offers a healthy, low-cost
16 food and beverage option for employees at San Francisco International Airport (“Airport”).
17 Amoura International, Inc. (“Amoura”) has operated the employee café in Terminal 1 since
18 June 2011. The employee café will be demolished in summer 2016 as part of the Terminal 1
19 Redevelopment Program. The Airport has identified a temporary replacement location in
20 Terminal 1, and Amoura has agreed to continue its operations under an interim employee
21 café lease (“Lease”) until the Terminal 1 Redevelopment Program is completed and a request
22 for proposals process for a lease at a permanent location can be initiated and completed.

23 The Airport Commission (“Commission”) conditionally approved the Lease on March 1,
24 2016, by Commission Resolution No. 16-0071. Copies of the Lease and Commission
25 Resolution are on file with the Clerk of the Board of Supervisors in File No. 160769. The
Lease has a three-year term, with two one-year options to extend exercisable by the
Commission, and a minimum annual guarantee of \$36,000.00.

1 The Commission found that approval of the Lease with Amoura without a competitive
2 process was reasonable and appropriate because it would allow the existing operator to
3 continue to provide a healthy, low-cost food and beverage offering to employees during the
4 Terminal 1 Redevelopment Program, and the three-year term of the Lease was not long
5 enough to create an attractive business offering for a competitive process. The Commission
6 approved the Lease subject to waiver by the Board of Supervisors of the competitive process
7 requirement of Administrative Code Section 2A.173.

8 Section 2. Exemption From Competitive Process Requirement. Under the
9 circumstances and for the reasons stated in Section 1 of this Ordinance, the Lease described
10 in Section 1 is hereby exempted from the competitive process requirement of Administrative
11 Code Section 2A.173. This exemption is provided for the sole and limited purpose of
12 effectuating the Lease as approved by the San Francisco Airport Commission under
13 Resolution No. 16-0071.

14 Section 3. Effective Date. This Ordinance shall become effective 30 days after
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
17 of Supervisors overrides the Mayor’s veto of the ordinance.

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19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By: _____
22 Luke Bowman
23 Deputy City Attorney
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