

AMENDED IN COMMITTEE

7/24/13

FILE NO. 130334

RESOLUTION NO.

1 [Lease Agreement - Airport Pay Phones - Pelican Communications, Inc. - 20% of Gross  
2 Revenue]

3 **Resolution retroactively approving Amendment No. 1 to Lease No. 09-0229 with Pelican**  
4 **Communications, Inc., to lower rent to 20% of gross revenue for the term December 1,**  
5 **2012, through December 31, 2013.**

6  
7 WHEREAS, The Airport Commission adopted Resolution No. 09-0229, adopted  
8 September 15, 2009, awarding the Pay Phone Lease to Pelican Communications, Inc.; and

9 WHEREAS, The Lease commenced on January 1, 2010, with a term of four years and  
10 a Base Rent of fifty-five percent (55%) of Gross Revenues; and

11 WHEREAS, On November 20, 2012, the Airport Commission adopted Resolution  
12 No. 12-0260 approving lowering the percentage rent from fifty-five percent (55%) to twenty  
13 percent (20%) of Gross Revenues; now, therefore, be it

14 RESOLVED, That this Board of Supervisors approves, retroactively from December 1,  
15 2012, through December 31, 2013, Amendment No.1 to Pay Phones Lease No. 09-0229 with  
16 Pelican Communications, Inc. lowering the percentage rent from fifty-five percent (55%) to  
17 twenty percent (20%) of Gross Revenues; and, be it

18 FURTHER RESOLVED, That this Board of Supervisors authorizes the Airport Director  
19 to enter into non-material modification to the Lease that the Commission, in consultation with  
20 the City Attorney, determines are in the best interests of the Commission and necessary to  
21 effectuate the purposes of the Agreement, and are in compliance with all applicable laws,  
22 including the City's Charter; and, be it

23 FURTHER RESOLVED, That the Lease Agreement and Lease Amendment are on file  
24 with the Clerk of the Board of Supervisors in File No. 130334, which is hereby declared to be  
25 a part of this resolution as if set forth fully herein.