

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 15-0231

APPROVAL OF THE REVISED AMENDMENT NO. 5 TO PACIFIC GATEWAY CONCESSIONS, LLC'S BOARDING AREAS "B" AND "C" PRINCIPAL CONCESSION RETAIL LEASE NO. 98-0228

WHEREAS, by Resolution No. 98-0228 adopted September 15, 1998, the Airport Commission ("Commission") awarded the Boarding Areas "B" and "C" Principal Concession Retail Lease (the "Original Lease") to DeLaVe, Inc.; and

WHEREAS, by Resolution No. 05-0150 adopted August 2, 2005, the Commission consented to assignment of the Original Lease to Pacific Gateway Concessions, LLC ("PGC"); and

WHEREAS, the Original Lease was subsequently amended by Amendment No. 1 pursuant to Resolution No. 02-0039 adopted February 19, 2002 (authorizing the Airport Director to implement the Airport Concession Support Program); by Amendment No. 2 pursuant to Resolution No. 03-0164 adopted September 16, 2003 (authorizing changes to the premises); by Amendment No. 3 pursuant to Resolution No. 09-0132 adopted May 22, 2009 (authorizing additional changes to the premises, extending the term, decreasing the Minimum Annual Guarantee, and requiring a refurbishment of the premises); and by Amendment No. 4 pursuant to Resolution No. 11-0151 adopted June 30, 2011 (extending the Lease term and granting two one-year options to extend) (collectively, the "Lease"); and

WHEREAS, staff negotiated the terms and conditions of a prior version of Amendment No. 5 to the Lease with PGC in order to accommodate the Terminal 1 Redevelopment Program and obtained Commission approval for such Amendment No. 5 on June 16, 2015, by Resolution No. 15-0137; and

WHEREAS, due to design changes in the Terminal 1 Redevelopment Program, replacement premises originally offered to PGC are no longer available, and staff has negotiated certain revisions to Amendment No. 5 with PGC; now, therefore, be it

RESOLVED, that this Commission hereby approves the revised Amendment No. 5 to Boarding Areas "B" and "C" Principal Concession Retail Lease No. 98-0228 extending the term to approximately September 2019 for the Specialty Shop and the Candy Cart, and to approximately June 2016 for the Newsstand Kiosk; and, be it further

RESOLVED, that this Commission hereby directs the Commission Secretary to forward the revised Amendment No. 5 to the Board of Supervisors for approval 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 _____

≡ OCT 27 2015



Secretary