

1 [Lease Amendment - Airport Concession Lease - Gotham Enterprises, LLC - Minimum Annual
2 Guarantee \$152,104]

3 **Resolution retroactively approving Amendment No. 2 to the Specialty Coffee Facilities**
4 **Lease No. 03-0069, between Gotham Enterprises, LLC, and the City and County of San**
5 **Francisco, acting by and through its Airport Commission, to extend the term for three**
6 **years for a total term of November 10, 2003, through December 31, 2020, with an option**
7 **for early termination, and no change to the minimum annual guarantee of \$152,104.**

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9 WHEREAS, On April 15, 2003, by Resolution No. 03-0069, the Airport Commission
10 approved a settlement of an unlitigated claims, which included the assignment of the Specialty
11 Coffee Facilities Lease No. 03-0069 (the "Lease") from D. Mitchell Concessions, Inc. to
12 Gotham Enterprises, LLC, to operate three Peet's Coffee & Tea facilities in Terminal 1
13 Boarding Area B and Terminal 3; and

14 WHEREAS, The Board of Supervisors approved the Lease by Resolution No. 142-03,
15 adopted on June 17, 2003; and

16 WHEREAS, On April 21, 2015, by Resolution No. 15-0100, the Airport Commission
17 approved Amendment No. 1 to the Lease, replacing the premises located in Terminal 1
18 Boarding Area B, and extending the term for the Terminal 1 Boarding Area B location
19 ("Amendment No. 1"); and

20 WHEREAS, The Board of Supervisors approved Amendment No. 1 by Resolution
21 No. 304-15, adopted on July 28, 2015; and

22 WHEREAS, To accommodate the Terminal 3 West renovation, the Airport Commission
23 approved adopted Resolution No. 17-0318 approving Amendment No. 2 to the Lease, which
24 extends the term to December 31, 2020, with the condition that the Airport Director, at his sole
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1 and absolute discretion, may terminate earlier by providing six months' advance written notice
2 ("Amendment No. 2"); and

3 WHEREAS, A copy of Amendment No. 2 is on file with the Clerk of the Board of
4 Supervisors in File No. 180211, which is hereby declared to be a part of this resolution as if
5 set forth fully herein; now, therefore, be it

6 RESOLVED, That the Board of Supervisors hereby retroactively approves Amendment
7 No. 2 to the Specialty Coffee Facilities Lease No. 03-0069 with Gotham Enterprises, LLC; and
8 be it

9 FURTHER RESOLVED, That within 30 days of Lease Amendment No. 2 being fully
10 executed by all parties, the Airport Commission shall provide a copy of the final Amendment
11 No. 2 to the Clerk of the Board for inclusion into the official file.

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