

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

3 **Resolution 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 January 1,**
5 **2010 through December 3, 2013.**

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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 Amendment No.1 to Pay
15 Phones Lease No. 09-0229 with Pelican Communications, Inc. lowering the percentage rent
16 from fifty-five percent (55%) to twenty percent (20%) of Gross Revenues; and, be it

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

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

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