

AIRPORT COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO  
RESOLUTION NO. 15-0100

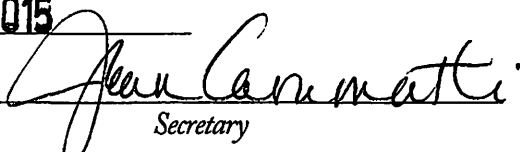
**APPROVAL OF AMENDMENT NO. 1 TO LEASE NO. 03-0069, OFFERING REPLACEMENT PREMISES FOR THE TERMINAL 1 BOARDING AREA B LOCATION, AND DIRECTING THE COMMISSION SECRETARY TO FORWARD AMENDMENT NO. 1 TO THE BOARD OF SUPERVISORS FOR APPROVAL**

- WHEREAS, pursuant to Resolution No. 03-0069, adopted April 15, 2003, the Airport Commission (“Commission”) approved a settlement of un-litigated claims which included the assignment of a lease from D. Mitchell Concessions, Inc. to an entity formed by Glenn, Dayna and Garrett Meyers for three coffee facilities to be operated as Peet’s Coffee & Tea in the Domestic Terminals (“Lease”) for a term of approximately twelve years with one option to extend the term for two years; and
- WHEREAS, Gotham Enterprise, LLC (“Gotham”) was formed by Glenn, Dayna and Garrett Meyers and is the lessee under the Lease; and
- WHEREAS, pursuant to Resolution No. 09-0120, adopted May 22, 2009, the Commission exercised the two-year option to extend, thus extending the Lease term to November 8, 2017; and
- WHEREAS, the Terminal 1 Redevelopment Project requires the permanent early closure of Gotham’s facility in Boarding Area B of Terminal 1, to occur on or around June 2016; and
- WHEREAS, in order to provide Gotham with a replacement facility and to provide food and beverage offerings for guests in the remaining portion of Terminal 1, the Airport desires to enter into an amendment to the Lease with Gotham for the lease of comparable space in Terminal 1, Boarding Area B, through September 2019 or until such time as the Airport permanently closes the remaining portion of Boarding Area B (“Amendment No. 1”); and
- WHEREAS, Gotham’s other two Peet’s Coffee & Tea locations in Terminal 3 will remain unaffected and the lease term for such locations will expire as originally contemplated under the Lease on November 8, 2017; and
- WHEREAS, the Minimum Annual Guarantee portion of the rent and other fees and charges due from Gotham under the Lease and which are tied to square footage will be adjusted to reflect the change (if any) in the square footage of the premises; now, therefore, be it
- RESOLVED, that this Commission hereby approves Amendment No. 1 to the Lease Agreement No. 03-0069 for Specialty Coffee Facilities in Domestic Terminal Buildings at the San Francisco International Airport. In consideration of the Airport’s closure of Gotham’s existing facility in Terminal 1, the Airport will lease to Gotham a space of comparable square footage in another location in Terminal 1, to commence in or around June 2016 and to expire in or around September 2019, when the present Terminal 1 Boarding Area B permanently closes; and, be it further
- RESOLVED, that this Commission hereby directs the Commission Secretary to forward Amendment No. 1 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* \_\_\_\_\_

**APR 21 2015**

  
Secretary