

1 [Lease Amendment - Pacific Gateway Concessions, LLC - Airport Concessions - Minimum
2 Annual lease amount of \$958,366.08]

3 **Resolution approving Amendment No. 5 to Boarding Areas “B” and “C” Principal**
4 **Concession Retail Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and**
5 **the City and County of San Francisco, acting by and through its Airport Commission,**
6 **extending the lease term for two concession locations to approximately September**
7 **2019, and extending the lease term for one concession location to approximately June**
8 **2016, for a minimum annual lease amount of \$958,366.08 in order to accommodate the**
9 **Terminal 1 Redevelopment Program.**

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11 WHEREAS, The Airport Commission entered into the Boarding Areas “B” and “C”
12 Principal Concession Retail Lease (the “Lease”) pursuant to Airport Commission Resolution
13 No. 98-0228 adopted on September 15, 1998, and by Board of Supervisors Resolution No.
14 1005-98 adopted on December 7, 1998; and

15 WHEREAS, The Lease was amended by Amendment No. 1, which allowed the Airport
16 Director to implement the Concession Support Program, pursuant to Airport Commission
17 Resolution No. 02-0039 adopted on February 19, 2002, and by Board of Supervisors
18 Resolution No. 552-02 adopted on August 12, 2002; and

19 WHEREAS, The Lease was further amended by Amendment No. 2, which modified the
20 premises, pursuant to Airport Commission Resolution No. 03-0164 adopted on September 16,
21 2003, and by Board of Supervisors Resolution No. 65-04 adopted on February 3, 2004; and

22 WHEREAS, The Lease was further amended by Amendment No. 3, which authorized
23 additional changes to and required refurbishment of the premises, and decreased the
24 Minimum Annual Guarantee, pursuant to Airport Commission Resolution No. 09-0132
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1 adopted on May 22, 2009, and by Board of Supervisors Resolution No. 344-09 adopted on
2 August 11, 2009; and

3 WHEREAS, The Lease was further amended by Amendment No. 4, which extended
4 the lease term to June 18, 2012 and provided for two additional one-year lease extension
5 options, pursuant to Airport Commission Resolution No. 11-0151 adopted on June 30, 2011,
6 and by Board of Supervisors Resolution No. 462-11 adopted on November 1, 2011; and

7 WHEREAS, The Airport Commission exercised the first of two options extending the
8 lease term to June 17, 2015, pursuant to Airport Commission Resolution No. 14-0118 adopted
9 on June 3, 2014; and

10 WHEREAS, By Airport Commission Resolution No. 15-0231, adopted on October 27,
11 2015, the Airport Commission approved revised Amendment No. 5 to the Lease, which
12 extends the lease term for two concession locations to approximately September 2019, and
13 extends the lease term for one concession location to approximately June 2016, in order to
14 accommodate the Terminal 1 Redevelopment Program; now, therefore, be it

15 RESOLVED, That the Board of Supervisors hereby approves Amendment No. 5 to the
16 Boarding Areas "B" and "C" Principal Concession Retail Lease No. 98-0228, copies of which
17 are contained on file with Clerk of the Board of Supervisors in File No. 160007; and, be it

18 FURTHER RESOLVED, That within 30 days of the amendment being fully executed by
19 all parties, the Airport Commission shall provide a copy of the final contract to the Clerk of the
20 Board for inclusion into the official file.