

1 [Airport Lease and Use Agreement Modification - Early Termination - US Airways, Inc.]

2

3 **Resolution approving Modification No. 1 to the 2011 Lease and Use Agreement**
4 **L10-0276, granting the early termination of the Lease between US Airways, Inc., and the**
5 **City and County of San Francisco, acting by and through its Airport Commission.**

6

7 WHEREAS, Effective July 1, 2011, US Airways, Inc. (“US Airways”) became a
8 signatory to 2011 Lease and Use Agreement L10-0276 (the “US Airways Agreement”),
9 which expires on June 30, 2021, at San Francisco International Airport (the “Airport”); and

10 WHEREAS, Effective July 1, 2011, American Airlines, Inc. (“American”) became a
11 signatory to Lease and Use Agreement L10-0078 (the “American Agreement”), which
12 expires on June 30, 2021, at the Airport; and

13 WHEREAS, On December 9, 2013, through a merger agreement, US Airways and
14 American became affiliates under the common control of American Airlines Group, Inc.; and

15 WHEREAS, On April 8, 2015, the Federal Aviation Administration issued a single
16 operating certificate to American and US Airways; and

17 WHEREAS, On October 1, 2015, US Airways co-located its passenger check-in
18 functions with American and, on October 17, 2015, ceased all flights nationwide under the
19 US Airways brand; and

20 WHEREAS, The Airport requires US Airways to relinquish all of its exclusive use
21 space by February 29, 2016, to accommodate the Terminal 1 Redevelopment Program,
22 pursuant to the Airport’s rights under Section 210 of the US Airways Agreement; and

23 WHEREAS, On December 22, 2015, by Resolution No. 15-0274, the Airport
24 Commission approved Modification No. 1 to the US Airways Agreement, which grants an
25 early termination of the Agreement conditioned upon US Airways having relinquished all of

1 its exclusive use space and American having incorporated certain exclusive use space in
2 Terminals 1 and 2 into the American Agreement to further the integration of operations with
3 US Airways; now, therefore, be it

4 RESOLVED, That this Board of Supervisors hereby approves the early termination of
5 Lease and Use Agreement L10-0276, between US Airways, Inc. and the City and County of
6 San Francisco, acting by and through its Airport Commission, through a Modification No. 1 on
7 file with the Clerk of the Board of Supervisors in File No. 160145, which is hereby declared to
8 be a part of this resolution as if set forth fully herein; and, be it

9 FURTHER RESOLVED, That within 30 days of Modification No. 1 being fully executed
10 by all parties, the Airport Commission shall provide a copy of the final Modification to the Clerk
11 of the Board for inclusion into the official file.

12
13
14
15
16
17
18
19
20
21
22
23
24
25