

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 16-0298

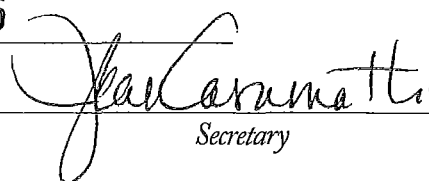
**APPROVAL OF A 2011 LEASE AND USE AGREEMENT WITH AER LINGUS LIMITED FOR OPERATING RIGHTS AT SAN FRANCISCO INTERNATIONAL AIRPORT, AND DIRECTING THE COMMISSION SECRETARY TO FORWARD THE LEASE TO THE BOARD OF SUPERVISORS FOR APPROVAL**

- WHEREAS, Aer Lingus Limited (“Aer Lingus”) conducts flight operations at San Francisco International Airport (“Airport”) pursuant to Airline Operating and Space Permit No. 4324; and
- WHEREAS, Aer Lingus wishes to become a signatory airline at the Airport pursuant to a 2011 Lease and Use Agreement (“2011 Lease”), a lease comparable to the 2011 Leases previously approved for 49 other airlines; and
- WHEREAS, as initially approved in March 2010, the 2011 Lease has a term of 10 years, expiring on June 30, 2021, and provides for terminal rent and landing fees in accordance with the Airport’s Rates and Charges; and
- WHEREAS, the Airport Commission of the City and County of San Francisco (“City”) and Aer Lingus now desires to enter into a 2011 Lease under the same terms and conditions, except that the term will be approximately four years and four months, with the exact term dependent upon full approval of the 2011 Lease by the City; and
- WHEREAS, in order to facilitate the implementation of the 2011 Lease and the placement in service of new facilities, the Commission desires to authorize the Airport Director to enter into non-material modifications to the 2011 Lease, including changes to the demised premises not to exceed 10% of leased square footage, that the Airport Director determines, in consultation with the City Attorney, are in the best interests of the Commission, do not otherwise materially increase the obligations or liabilities of the Commission, are necessary or advisable to effectuate the purposes of the 2011 Lease or this Resolution, and are in compliance with all applicable laws, including City’s Charter; now, therefore, be it
- RESOLVED, that this Commission approves the 2011 Lease between Aer Lingus and the City consistent with the terms of the attached memorandum, subject to Aer Lingus’ compliance with Chapter 12B of the City’s Administrative Code and other City contracting requirements or obtaining the appropriate waivers thereto, as applicable; and, be it further
- RESOLVED, that this Commission authorizes the Airport Director to execute said 2011 Lease and to enter into any non-material modifications thereto, including changes to the demised premises of not to exceed 10% of leased square footage, as described above; and, be it further
- RESOLVED, that the Commission Secretary is hereby directed to request Board of Supervisors’ approval of said 2011 Lease with Aer Lingus pursuant to City Charter Section 9.118.

*I hereby certify that the foregoing resolution was adopted by the Airport Commission*

*at its meeting of* \_\_\_\_\_

NOV 22 2016

  
Secretary