

AMENDED IN COMMITTEE

10/19/17

FILE NO. 170994

RESOLUTION NO. 409-17

1 [Revenue Agreement Amendment - JC Decaux San Francisco, Inc. - Extending Term to
2 February 14, 2018]

3 **Resolution approving the Third Amendment to the Revenue Agreement between San**
4 **Francisco Public Works and JC Decaux San Francisco, LLC, for the Automatic Public**
5 **Toilet and Public Service Kiosk Program extending the contract term by 120 days,**
6 **changing the termination date from October 17, 2017, to February 14, 2018.**

7
8 WHEREAS, San Francisco Public Works entered into an agreement with JC Decaux
9 San Francisco, Inc., for a public toilet and public service kiosk pilot program, with an effective
10 date of August 2, 1994; and

11 WHEREAS, The Board of Supervisors approved a First Amended and Restated
12 Automatic Public Toilet and Public Service Kiosk Agreement ("JC Decaux Agreement") on
13 December 7, 1998, which expanded the program beyond the trial phase with a term ending on
14 October 17, 2016; and

15 WHEREAS, On December 14, 2015, the parties executed a first amendment to the JC
16 Decaux Agreement to allow installation of temporary personal wireless services in the kiosks;
17 and

18 WHEREAS, On October 28, 2016, the Board of Supervisors approved a second
19 amendment to the JC Decaux Agreement to extend the term of the agreement to October 17,
20 2017; and

21 WHEREAS, The JC Decaux Agreement, the First Amendment to the Agreement, and
22 the Second Amendment to the Agreement are on file with the Clerk of the Board of
23 Supervisors in Files No. 161019 and 981599, which are hereby declared to be a part of this
24 Resolution as if set forth fully herein; and

1 WHEREAS, SF Public Works needs additional time to complete negotiations with JC
2 Decaux on a subsequent agreement to ensure that proposed new public toilets and public
3 service kiosks meet all City design and review requirements; and

4 WHEREAS, SF Public Works cannot complete all of the required reviews and
5 approvals for the new Toilets and Kiosks before the current agreement expires; and

6 WHEREAS, Charter, Section 9.118(a) requires that amendments to contracts that
7 when entered into had anticipated revenues of \$1,000,000 or more be approved by the Board
8 of Supervisors; now, therefore, be it

9 RESOLVED, That the San Francisco Board of Supervisors approves the Third
10 Amendment to the JC Decaux Agreement as amended, which extends the term of the JC
11 Decaux Agreement by 120 days to February 14, 2018; and, be it

12 FURTHER RESOLVED, That within thirty (30) days of the amendment being fully
13 executed by all parties, SF Public Works shall provide the final amendment to the Clerk of the
14 Board for inclusion into the official file.



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 170994

Date Passed: November 14, 2017

Resolution approving the Third Amendment to the Revenue Agreement between San Francisco Public Works and JC Decaux San Francisco, LLC, for the Automatic Public Toilet and Public Service Kiosk Program extending the contract term by 120 days, changing the termination date from October 17, 2017, to February 14, 2018.

October 05, 2017 Budget and Finance Committee - AMENDED

October 05, 2017 Budget and Finance Committee - CONTINUED AS AMENDED

October 19, 2017 Budget and Finance Committee - AMENDED

October 19, 2017 Budget and Finance Committee - CONTINUED AS AMENDED

October 26, 2017 Budget and Finance Committee - RECOMMENDED

November 14, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy,
Tang and Yee

File No. 170994

I hereby certify that the foregoing
Resolution was ADOPTED on 11/14/2017
by the Board of Supervisors of the City and
County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/22/2017

Date Approved