

1 [Lease Amendment – Retroactive - United States Customs and Border Protection - Customs  
2 Cargo Office Space at Building 648 - Annual Rent of \$833,036]

3 **Resolution retroactively approving Amendment No. 1 to Lease No. TC-I-02-2801**  
4 **between the United States Customs and Border Protection, and the City and County of**  
5 **San Francisco, acting by and through its Airport Commission, to extend the term of the**  
6 **lease for an additional ten years for a total term of February 1, 2003, through January**  
7 **31, 2028, and adjust the annual rent to \$833,036.**

8  
9 WHEREAS, The United States Customs and Border Protection ("Customs"), an agency  
10 of the United States Department of Homeland Security, is responsible for the entry and  
11 clearance of all international cargo shipments entering into the United States at the San  
12 Francisco International Airport ("Customs Cargo"); and

13 WHEREAS, The Airport Commission approved Lease No. TC-I-02-2801 (the "Lease"),  
14 on April 2, 2002, by Resolution No. 02-0079; and

15 WHEREAS, The Board of Supervisors subsequently approved the Lease by Resolution  
16 No. 494-02 on July 26, 2002; and

17 WHEREAS, The Lease commenced on February 1, 2003, and expired on January 31,  
18 2018, and provides approximately 16,170 square feet of finished office and ancillary space at  
19 West Field Cargo Building 648 (the "Premises"); and

20 WHEREAS, The annual rent for the Premises is comprised of the base rent, parking  
21 fees, operating and maintenance fees, and debt service; and

22 WHEREAS, The current annual rent is \$1,023,268.55, of which Customs pays \$1 and  
23 the remainder is paid monthly by the international carriers in the form of the Customs Cargo  
24 Facility Fee, pursuant to the Airport's Rates and Charges schedule; and

1 WHEREAS, Customs desires to continue occupancy of the Premises to process  
2 Customs Cargo for an additional period of ten years; and

3 WHEREAS, Airport staff has negotiated Amendment No. 1 to the Lease with Customs  
4 which provides for a ten year extension of the term, effective retroactively from  
5 February 1, 2018, through January 31, 2028, with an annual rent of \$833,036 (the  
6 "Amendment"); and

7 WHEREAS, On January 16, 2018, by Resolution No. 18-0016, the Airport Commission  
8 approved the Amendment, a copy of which is on file with the Clerk of the Board in File  
9 No. 180284, which is hereby declared to be a part of this Resolution as if set forth fully herein;  
10 now, therefore, be it

11 RESOLVED, That this Board of Supervisors hereby approves Amendment No. 1 to  
12 Lease No. TC-I-02-2801 between Customs and the City and County of San Francisco, acting  
13 by and through its Airport Commission, which extends the term by ten years at an annual rent  
14 of \$833,036; and, be it

15 FURTHER RESOLVED, That within 30 days of the Amendment being fully executed by  
16 all parties, the Airport Commission shall provide a copy of the Amendment to the Clerk of the  
17 Board for inclusion into the official file.