

1 [Airport Lease Amendment - Gotham Enterprises, LLC - Minimum Annual Guarantee \$37,353]

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3 **Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage**
4 **Lease No. 03-0193 between Gotham Enterprises, LLC, and the City and County of San**
5 **Francisco, acting by and through its Airport Commission with a minimum annual**
6 **guarantee of \$37,353 for the term of September 29, 2003, through February 23, 2017.**

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8 WHEREAS, by Resolution No. 03-0193, adopted September 29, 2003, the Airport
9 Commission awarded the Domestic Terminal Food and Beverage Lease ("Lease") for
10 approximately 1,037 square feet to Gotham Enterprises, LLC; and

11 WHEREAS, by Resolution No. 09-0121, adopted on May 22, 2009, the Airport
12 Commission approved one option to extend the term for two years ("Option Term"); and

13 WHEREAS, by Resolution No. 13-0015, adopted on January 30, 2013, the Airport
14 Commission approved Amendment No. 1 to the Domestic Terminal Food and Beverage
15 Lease No.03-0193 with Gotham Enterprises, LLC; now, therefore, be it

16 RESOLVED, That this Board of Supervisors approves Amendment No. 1 which (1)
17 decreases the premises by approximately 310 square feet and allows the permanent closure
18 of the Peet's Coffee and Tea location in Terminal 1, (2) reduces the Minimum Annual
19 Guarantee ("MAG") to \$37,353 for the current Lease Year, (3) approves the calculation of
20 future MAG Adjustments based on the initial MAG of \$29,080, (4) decreases the Tenant
21 Infrastructure Fee to \$10,905, and (5) decreases the Promotional Charge to \$727 to reflect
22 the lower square footage; and, be it

23 FURTHER RESOLVED, That the Lease Agreement and Lease Amendment No. 1 are
24 on file with the Clerk of the Board of Supervisors in File Number 130335, which is hereby
25 declared to be a part of this resolution as if set forth fully herein.



City and County of San Francisco

Tails

Resolution

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

File Number: 130335

Date Passed: May 21, 2013

Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No. 03-0193 between Gotham Enterprises, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of \$37,353, for the term of September 29, 2003, through February 23, 2017.

May 15, 2013 Budget and Finance Sub-Committee - RECOMMENDED

May 21, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130335

I hereby certify that the foregoing Resolution was ADOPTED on 5/21/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/31/13

Date Approved