

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