

**MILWAUKEE COUNTY BOARD OF SUPERVISORS**

**DATE: July 16, 2014**

**AMENDMENT NO. 1**

**Resolution File No. 14-565**

**Ordinance File No.**

**COMMITTEE: Committee on Transportation, Public Works, and Transit**

**OFFERED BY SUPERVISOR(S): Lipscomb, Sr.**

**ADD AND/OR DELETE AS FOLLOWS:**

**Add to the BE IT RESOLVED clause beginning on or near line 87 as follows:**

BE IT RESOLVED, that the Director, Department of Transportation and the County Clerk are hereby authorized to amend Airport Agreement No. CN-1906 between Milwaukee County and SSP America, Inc., as follows:

1. The agreement will be extended for a term of five (5) years, commencing November 1, 2019, and ending October 31, 2024.
2. SSP America will invest a minimum of \$495,050 to refurbish the existing facilities beginning as of November 1, 2013, and another \$495,050 to refurbish the facilities beginning as of November 1, 2019.
3. A midterm investment shall be considered timely if SSP America complies with the terms of its concession agreement and development plans for such midterm investments are submitted to the County no later than September 30, 2014 for the first midterm investment and September 30, 2020 for the second midterm investment.
4. County may, at any time, develop other concessions at the Airport. Such new concessions may be developed in any location and may be of any kind and shall not give rise to any claims, legal or otherwise, based on such new development, by SSP America for damages or for any other kind of compensation or for any modification of its obligations under this Agreement.
5. SSP America may only assign this Agreement after receiving the written consent of the County. Milwaukee County may assign this Agreement without SSP America's consent at any time after the effective date of this amendment.

6. SSP America agrees that its exercise of any right to termination contained in the Agreement at any time from November 1, 2019 to October 31, 2024 shall relieve it of any claim for reimbursement or damages of any kind, or any other claim against the County, including any claim for any unamortized leasehold improvements.
7. SSP America and the County recognize that this amendment may be subject to the review and approval of the United States. In no event shall Milwaukee County be required to take any action under this amendment that is inconsistent with its legal obligations and federal, state, or local laws or regulations
8. Any extension period to the agreement would be subject to SSP America complying with Milwaukee County's living wage ordinance (M.C.G.O Ch. III) for the term of the extension period.