Resolution approving Amendment No. 1 to Domestic Terminal Food and Beverage
Lease No. 03-0184 with Bay Area Restaurant Group, JV (Max’s Eatz and Max’s the Greek) for a term of ten years and a Minimum Annual Guarantee of $36,103; No. 03-0183 with Bayport Concessions, LLC (Willow Creek Grill) for a term of ten years and a Minimum Annual Guarantee of $34,237; No. 03-0200 with SSP America, Inc. (Anchor Steam) for a term of ten years and a Minimum Annual Guarantee of $150,329; and Amendment No. 2 to No. 03-0193 with Gotham Enterprises, LLC (Peet’s Coffee & Tea) for a term of ten years and a Minimum Annual Guarantee of $36,487; and No. 03-0180 with Sankaku, Inc. (Sankaku) for a term of ten years and a Minimum Annual Guarantee of $37,125; and the City and County of San Francisco, acting by and through its Airport Commission, retroactive to February 2014.

WHEREAS, The Airport has closed the aircraft boarding area at gates 68-71 in Terminal 3 (“T3 East”) for approximately eighteen (18) months for major renovations; and
WHEREAS, During this renovation, the Max’s the Greek, Willow Creek Grill, Anchor Steam, Peet’s Coffee & Tea and Sankaku facilities will be demolished and tenants will be responsible for building new premises; and
WHEREAS, The Airport Commission approved Resolution Nos. 13-0174, 13-0175, 13-0176, 13-0177, and 13-0178, which includes replacement premises in T3 East, adjustment of the Minimum Annual Guarantee, a new commencement date of the ten (10) year term, a new minimum investment amount, inclusion of the Airport’s Sustainable Food Guideline, and reimbursement of unamortized investments; now, therefore, be it
RESOLVED, That the Board of Supervisors hereby approves Amendment No. 1 to Lease No. 03-0184 with Bay Area Restaurant Group, JV; No. 03-0183 with Bayport Concessions, LLC; No. 03-0200 with SSP America, Inc.; and Amendment No. 2 to No. 03-0193 with Gotham Enterprises, LLC; and No. 03-0180 with Sankaku, Inc. (Sankaku), as follows:

1. Replacement Premises. Original premises shall be replaced with premises of comparable size in T3 East (Replacement Premises).

2. Commencement of ten (10) year term. New Lease rent commencement date shall be the earlier date of (i) the Replacement Premises are open for business or (ii) the majority of gates in T3 East are occupied (“Commencement Date”).

3. Rent. The Minimum Annual Guarantee (“MAG”) will be adjusted to reflect the Replacement Premises and will commence on the new Commencement Date.


5. Use and Operational Requirements. Permitted uses include the Airport’s Sustainable Food Guideline.

   - Max the Greek to be reimbursed in an amount of not to exceed Fifty Seven Thousand Three Hundred Thirty Five Dollars ($57,335)
   - Willow Creek Grill to be reimbursed in an amount not to exceed Fifty Seven Thousands Sixty Six Dollars ($57,066)
   - Anchor Steam to be reimbursed in an amount not to exceed One Hundred Ninety Eight Thousands Six Hundred Eighty Five Dollars ($198,685)
   - Peet’s Coffee & Tea to be reimbursed in an amount not to exceed Twenty Three Thousand Two Hundred Three Dollars ($23,203)
• Sankaku to be reimbursed in an amount not to exceed Fifty Two Thousand Seventy Seven Dollars ($52,077)

FURTHER RESOLVED, That the Airport Director shall take all steps necessary to implement such Amendment No. 1 and 2 to the Leases, including execution of the appropriate documents.
Resolution approving Amendment No. 1 to Domestic Terminal Food and Beverage Lease No. 03-0184 with Bay Area Restaurant Group, JV (Max's Eatz and Max's the Greek) for a term of ten years and a Minimum Annual Guarantee of $36,103; No. 03-0183 with Bayport Concessions, LLC (Willow Creek Grill) for a term of ten years and a Minimum Annual Guarantee of $34,237; No. 03-0200 with SSP America, Inc. (Anchor Steam) for a term of ten years and a Minimum Annual Guarantee of $150,329; Amendment No. 2 to No. 03-0193 with Gotham Enterprises, LLC (Peet's Coffee & Tea) for a term of ten years and a Minimum Annual Guarantee of $36,487; No. 03-0180 with Sankaku, Inc. (Sankaku) for a term of ten years and a Minimum Annual Guarantee of $37,125; and the City and County of San Francisco, acting by and through its Airport Commission, retroactive to February 2014.

December 03, 2014 Budget and Finance Committee - CONTINUED

January 07, 2015 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

January 07, 2015 Budget and Finance Committee - RECOMMENDED AS AMENDED

January 13, 2015 Board of Supervisors - ADOPTED

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

File No. 140946

I hereby certify that the foregoing Resolution was ADOPTED on 1/13/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved

1/20/2015