

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
JADE T. BUTAY
FORD N. FUCHIGAMI
RANDY GRÜNE
JADINE URASAKI

IN REPLY REFER TO:

Board of Land and
Natural Resources
State of Hawaii
Honolulu, Hawaii

AMENDMENT NO. 1 TO RESTAURANT AND LOUNGE
CONCESSION AGREEMENT NO. DOT-A-11-0006
HOST INTERNATIONAL, INC., LIHUE AIRPORT

KAUAI

PURPOSE:

To amend the existing "Article III. Premises" of the Restaurant and Lounge Concession Agreement (Agreement) at Lihue Airport.

LEGAL REFERENCE:

Chapter 102, Hawaii Revised Statutes, as amended.

APPLICANT:

HOST INTERNATIONAL, INC. (HOST), its mailing address is 6905 Rockledge Drive, Bethesda, Maryland 20817.

LOCATION AND TAX MAP KEY:

Lihue Airport, Tax Map Key: 4th Division: 3-5-01: Portion of 8

ZONING:

State Land Use District: Urban
County of Kauai: Industrial (IG-STP)

LAND TITLE STATUS:

Section 5(a) lands of the Hawaii Admissions Act: Non-Ceded
DHHL 30% entitlement lands: No

ITEM M-1

BLNR – Amendment No. 1 to
Concession Agreement No. DOT-A-11-0006
Host International Inc.

TEN-YEAR TERM:

The term of this Agreement commenced on October 1, 2011, and will expire on September 30, 2021.

COMMENCEMENT DATE:

Upon execution of Amendment to Concession Agreement.

PREMISES:

LIHUE AIRPORT (“Airport”)

A. EXISTING SPACES AT COMMENCEMENT OF THE AGREEMENT
 (“Initial Allocation”):

1. Restaurant and Lounge (Sales) Space.
 - a. Space No. 306-218A, Lihue Main Terminal Building, containing approximately 5,177 square feet as shown on Exhibit B dated February 2011;
 - b. Space No. 306-218B, Lihue Main Terminal Building, containing approximately 1,398 square feet as shown on Exhibit B dated February 2011.
2. Storage (Non-Sales) Space.
 - a. Space No. 306-139C, Lihue Main Terminal Building, containing approximately 2,389 square feet as shown on Exhibit C dated February 2011;
 - b. Space No. 306-139D, Lihue Main Terminal Building, containing approximately 595 square feet as shown on Exhibit C dated February 2011.

B. ADDITIONAL (NEW) SPACE FOR FOOD AND BEVERAGE SALES.

1. Space No. 307-104, containing approximately 64 square feet as shown on the attached Exhibit D (Amendment No. 1) dated December 2011, attached hereto.

BLNR – Amendment No. 1 to
Concession Agreement No. DOT-A-11-0006
Host International Inc.

2. Space No. 307-105, containing approximately 64 square feet as shown on the attached Exhibit D (Amendment No. 1) dated December 2011, attached hereto.

ANNUAL CONCESSION FEE:

No additional square footage floor rent will be charged for the additional spaces since it was the STATE's request that HOST operate at the location.

Currently, HOST pays the greater of the: (1) Minimum Annual Guaranteed Fee (MAG) for the first year as set forth in its Bid Proposal and the MAG for each succeeding agreement year shall be 85% of the actual annual fee paid and payable to the STATE (either MAG or Percentage) OR (2) Percentage Fee on its annual gross receipts, as provided in Article VI.A.1.b.

IMPROVEMENTS:

HOST will construct/install and cover all costs of improvements to the additional spaces.

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

Pursuant to Section 11-200-8 (a), Hawaii Administrative Rules, this disposition is exempt from the requirement regarding preparation of an environmental assessment, as required by Chapter 343, Hawaii Revised Statutes, as amended, because the proposed action falls within Exemption Class #1, Comprehensive Exemption List for the State of Hawaii, Department of Transportation dated November 15, 2000, as approved by the Environmental Council. Exemption Class #1 covers operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously existing.

REMARKS:

On February 23, 2007, under agenda Item M-2, the Land Board approved DOTA's request to offer for bid a Restaurant and Lounge Concession Agreement at the Lihue Airport.

Subsequent to the Bid Process, the DOTA and HOST entered into that certain Concession Agreement No. DOT-A-11-0006 dated September 8, 2011, for the Restaurant and Lounge Concession at the Lihue Airport.

BLNR – Amendment No. 1 to
Concession Agreement No. DOT-A-11-0006
Host International Inc.

RECOMMENDATION:

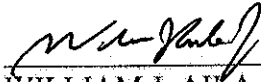
The Board authorizes the Department of Transportation to amend: 1) Article III. Premises of the subject Agreement as herein outlined, which are by reference incorporated herein; 2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and 3) review and approval by the Department of the Attorney General.

Respectfully submitted,

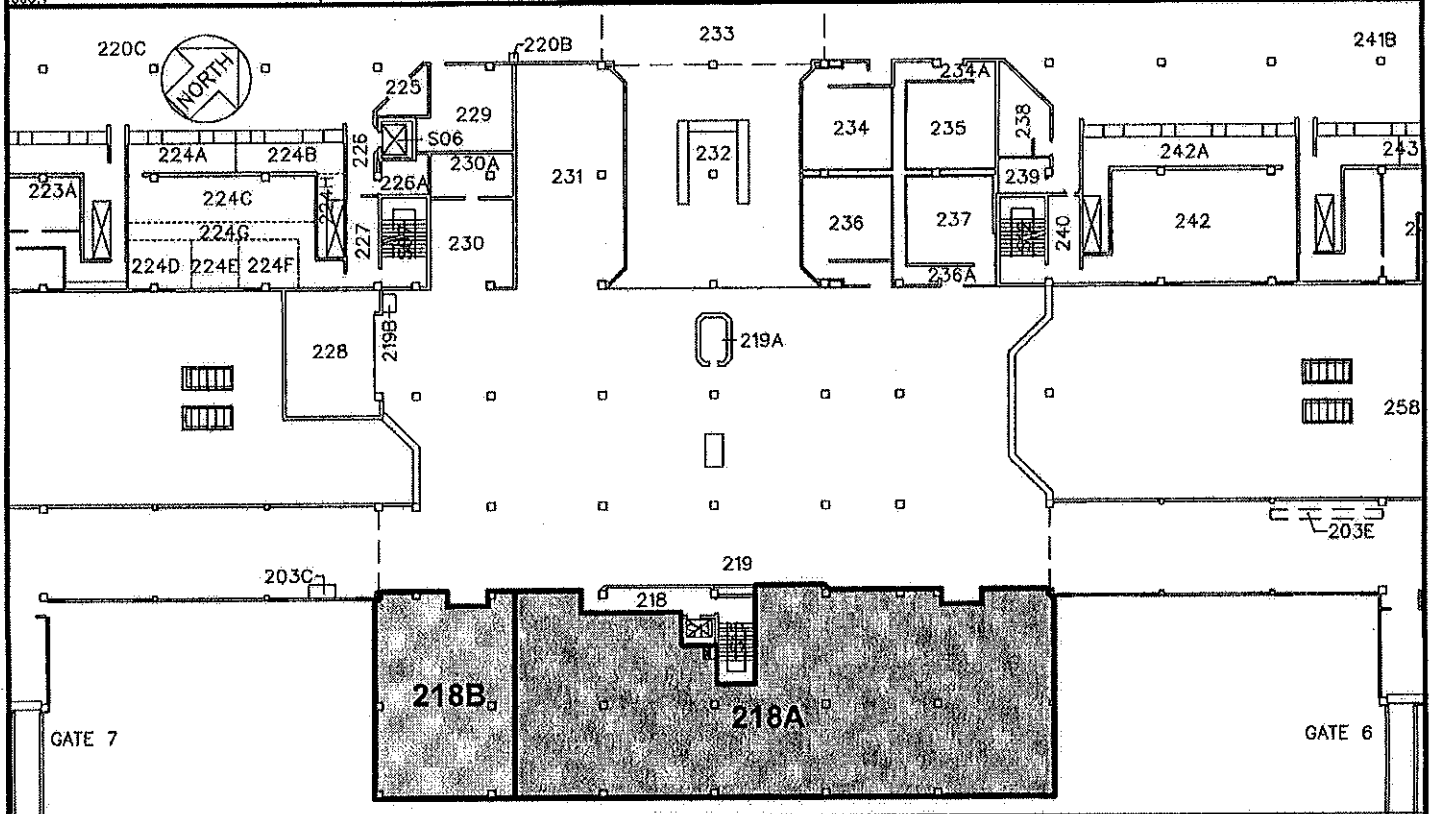
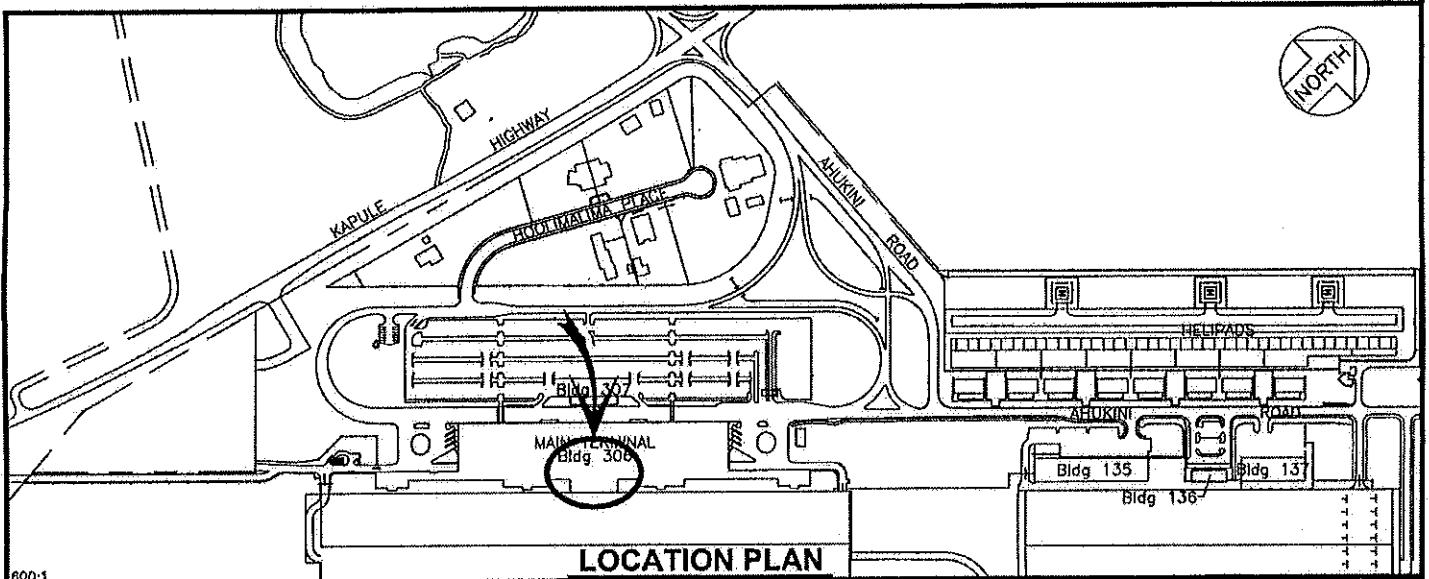


GLENN M. OKIMOTO, Ph.D.
Director of Transportation

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.
Chairperson and Member



BLDG/ROOM	SQ. FT.
306 218A	5,177
306 218B	1,398

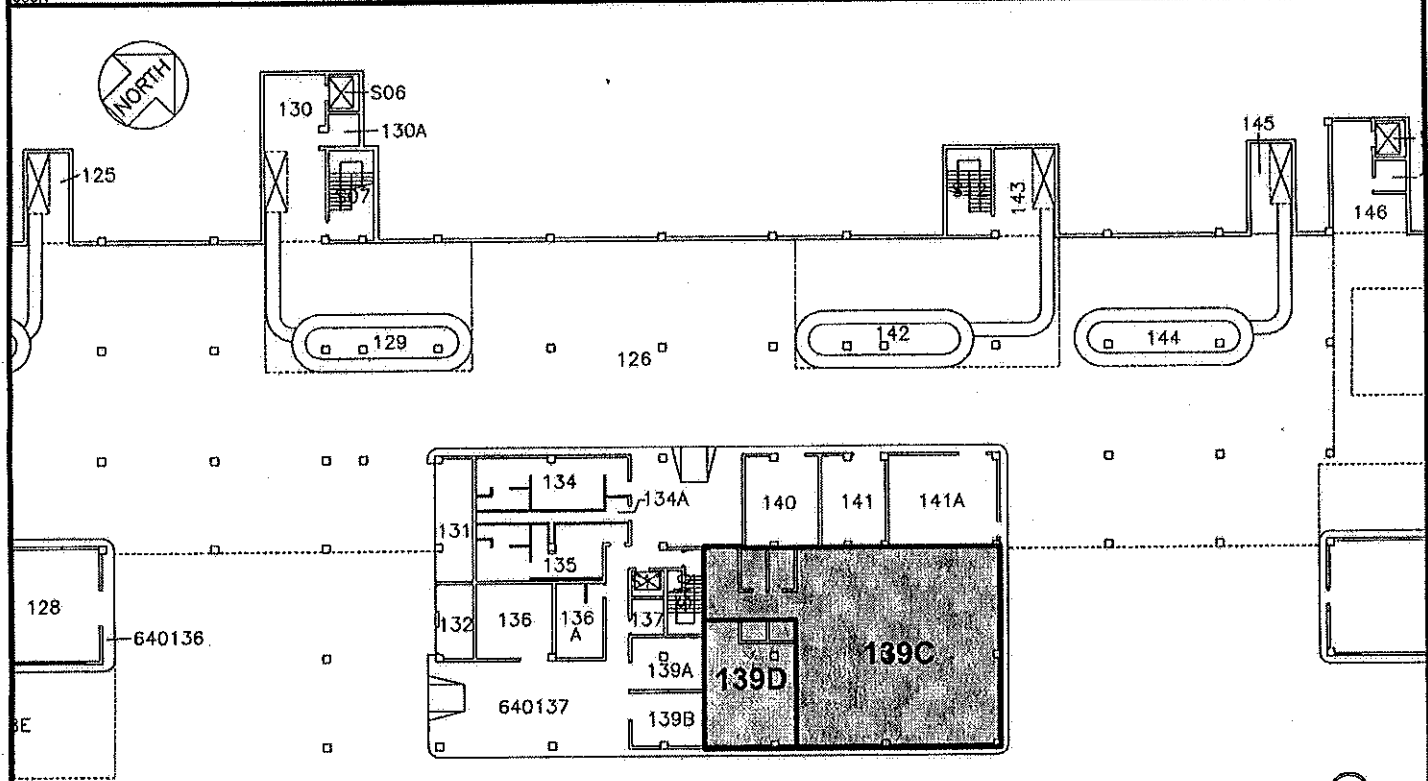
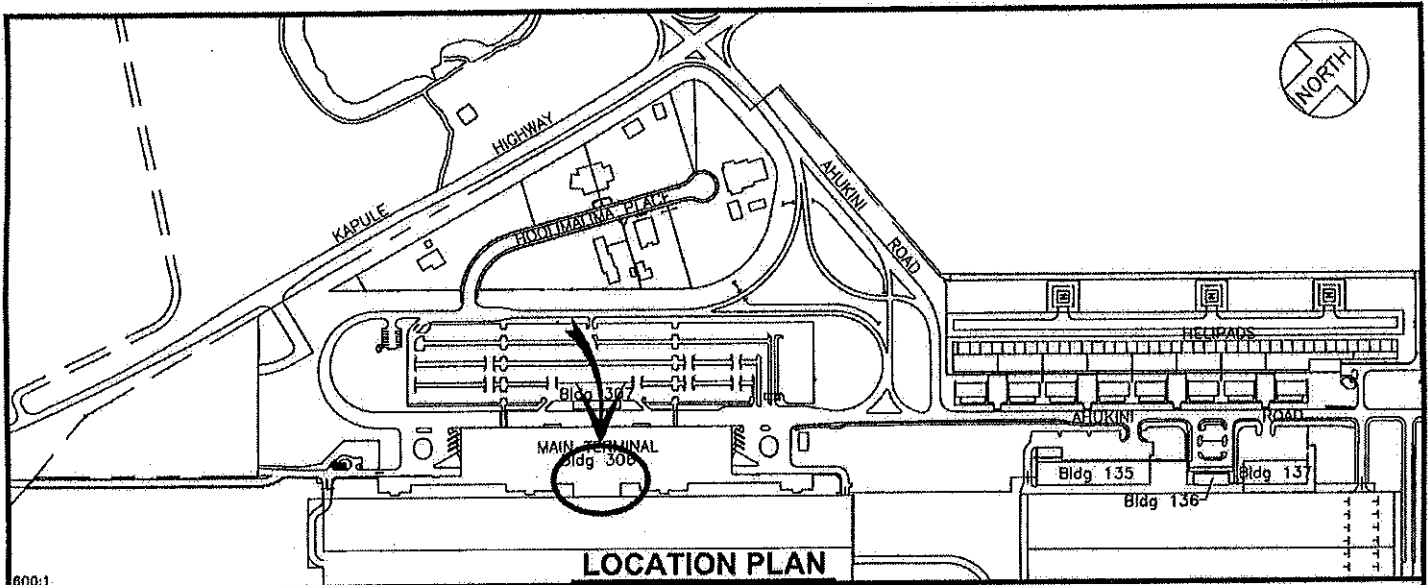
SCALE: 1" = 40'

Restaurant & Lounge Concession Lease DOT-A-11-0006 DATE : FEBRUARY 2011 EXHIBIT: **B**

	HOST INTERNATIONAL, INC.	BUILDING 306 MAIN TERMINAL TERMINAL LEVEL	306218A 306218B
		PLATS C2, 45	

LIHUE AIRPORT

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**BLDG 306
MAIN TERMINAL**

SCALE: 1" = 40'

BLDG/ROOM	SQ. FT.
306 139C	2,389
306 139D	595

Restaurant & Lounge Concession Lease DOT-A-11-0006

DATE : FEBRUARY 2011

EXHIBIT: **C**



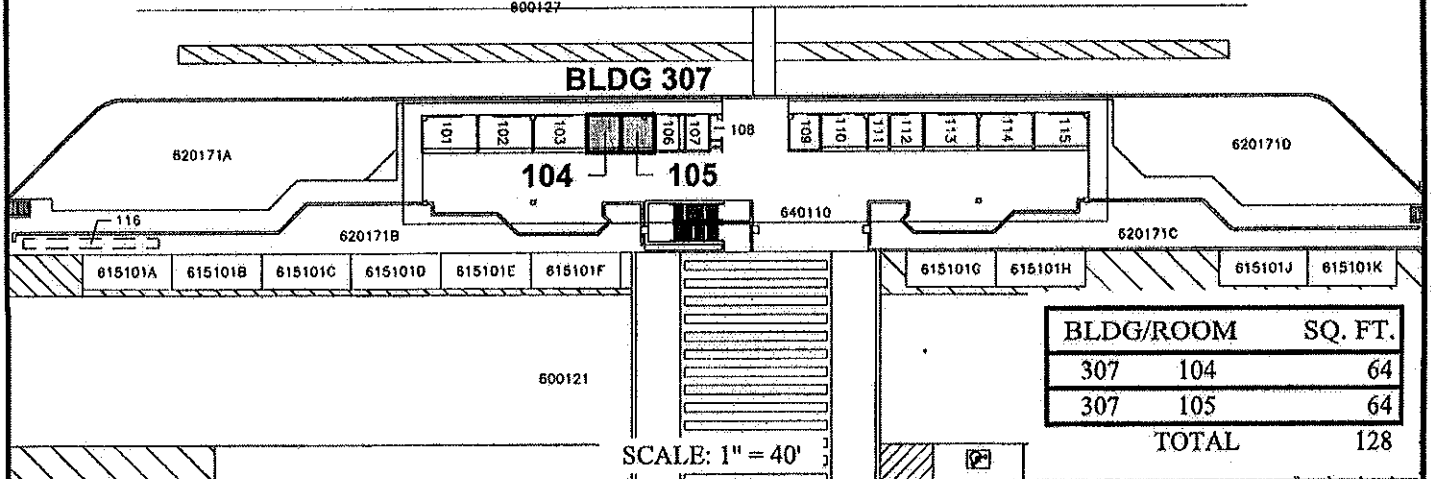
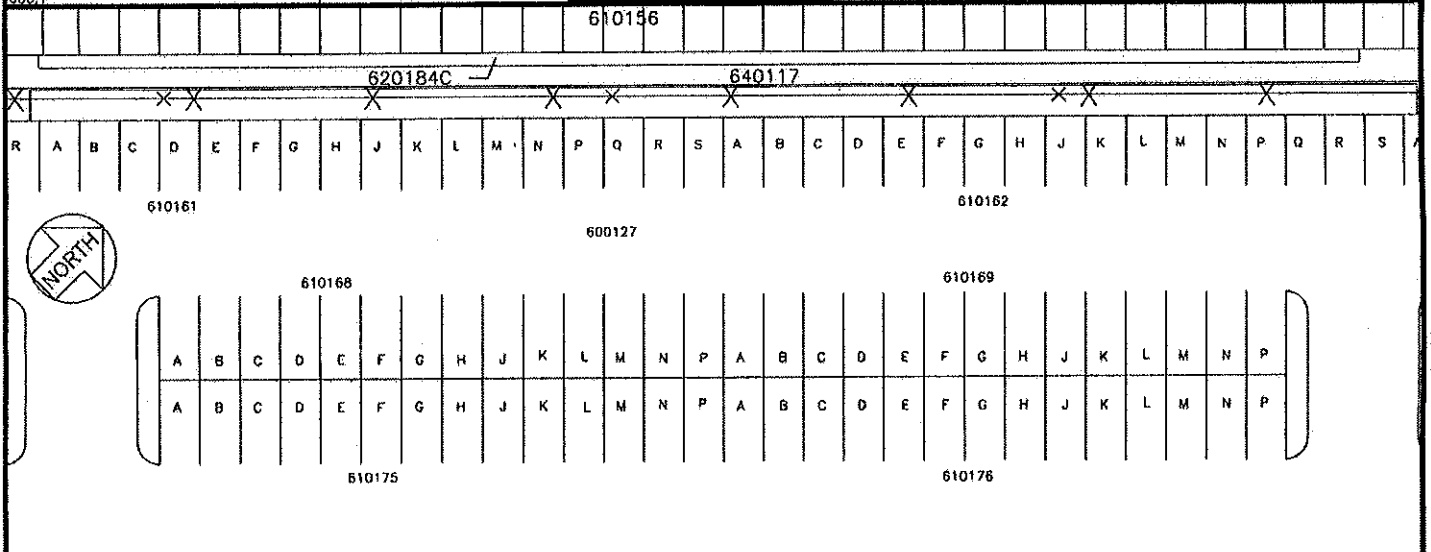
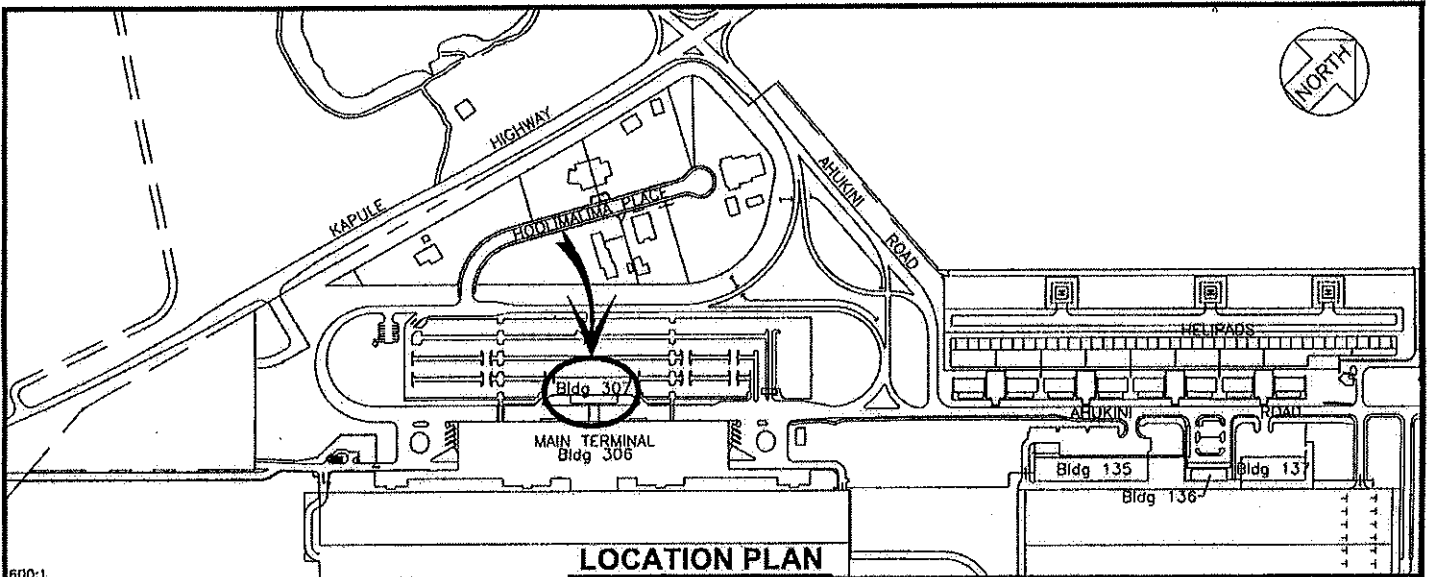
HOST INTERNATIONAL, INC.

**BUILDING 306
MAIN TERMINAL
APRON LEVEL**

**306139C
306139D
PLATS C1, 45**

LIHUE AIRPORT

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Amendment No. 1 to DOTA-11-0006 DATE : JANUARY 2012 EXHIBIT: **D**



HOST INTERNATIONAL, INC.

**BUILDING 307
GROUND LEVEL**

**307104
307105**
PLATS C1, 45

LIHUE AIRPORT

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