

★ **Roll Call Number**

**Agenda Item Number**

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**Date** August 21, 2006

**Resolution Fixing Date, Time and Place for Public Hearing on Assignment of the Food and Beverage Concession Agreement at Des Moines International Airport from Compass Group USA, Inc. d/b/a Select Service Partner to Creative Host Services, Inc.**

WHEREAS, on June 2, 1997, by Roll Call No. 97-1974, City Council approved the Food and Beverage Concession with St. Clair Development Corp. later called Creative Host Services, Inc.; and

WHEREAS, on March 26, 2001, by Roll Call No. 01-885, City Council approved the Assignment and Assumption of Food and Beverage Concession Agreement from Creative Host Services, Inc. to GladCo Enterprises, Inc. a subsidiary of Creative Host Services, Inc.; and

WHEREAS, on November 18, 2002, by Roll Call No. 02-2741, City Council approved the First Amendment to the Food and Beverage Concession Agreement with Gladco Enterprises, Inc.; and

WHEREAS, on January 10, 2005, by Roll Call No. 05-101, City Council consented to the assignment by GladCo of all right, title and interest in and to the Concession Agreement and to the assumption by Compass of all the obligations of GladCo under said Concession Agreement performable on or after the effective date; and

WHEREAS, on January 10, 2005, by Roll Call No. 05-101, the City Council approved the Assignment of Food and Beverage Concession Agreement from GladCo Enterprises, Inc., to Compass Group USA, Inc. d/b/a Select Service Partner; and the Second Amendment to the Food and Beverage Concession Agreement with Compass Group USA, Inc. d/b/a Select Service Partner; and

WHEREAS, on October 24, 2005, by Roll Call No. 05-2507, City Council approved the Third Amendment to Concession Agreement for Food and Beverage Operations with The Compass Group USA, Inc. d.b.a. Select Service Partner at the Des Moines International Airport; and

WHEREAS, on August 15, 2006, by Resolution A06-156, the Airport Board recommended to City Council consent to assignment of the Food and Beverage Concession Agreement from Compass Group USA, Inc. d/b/a Select Service Partner to Creative Host Services, Inc.

WHEREAS, since the Food and Beverage Concession Agreement has over three years remaining, it is therefore recommended that Council set a date of public hearing to approve the

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the Assignment of Food and Beverage Concession Agreement from Compass Group USA, Inc. d/b/a Select Service Partner to Creative Host Services Inc., NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That this City Council meet in the Council Chambers, City Hall, City of Des Moines, Iowa, at 5:00 p.m. on the 11th day of September 2006 for the purpose of taking action on the matter of the authorization of the Assignment and Assumption Agreement of the Concession Agreement for Food and Beverage Operations at the Des Moines International Airport from Compass Group USA, Inc. d/b/a Select Service Partner to Creative Host Services, Inc.; and
2. That the proposed Assignment and Assumption Agreement is on file with the City Clerk; and
3. That Notice of said proposal be given by publication not less than four (4) nor more than twenty (20) day before the date of the public hearing, all as specified in Section 364.7 and Section 362.3 of the Iowa Code 2003; and
4. That the Notice above referred to shall be in the form hereto attached, and
5. That the City Clerk is hereby authorized and directed to publish the Notice above referred to in Paragraph 3.

Moved by \_\_\_\_\_ to adopt.

Approved as to form:



David Ferree  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk