★ **Roll Call Number**

13-0553

Date _____ April 8, 2013

SETTING DATE OF HEARING ON CONCESSION AGREEMENT WITH
PORT OF DES MOINES, LLC FOR THE HUB SPOT

WHEREAS, on April 11, 2011, by Roll Call No. 11-0638, the City Council dedicated the plaza and kiosk at the northeast corner of Court Avenue and Water Street as parkland and designated its name as The Hub Spot; and

WHEREAS, The Hub Spot has the capability to offer food and beverage concession services; and

WHEREAS, the City Park and Recreation Department manages The Hub Spot and has negotiated a concession agreement with Port of Des Moines, LLC, Michael LaValle, Manager, to offer food and beverages, including alcoholic beverages, at The Hub Spot, a copy of which is on file in the City Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The City Council of the City of Des Moines shall consider a Concession Agreement between the City and Port of Des Moines, LLC to operate a food and beverage concession at The Hub Spot, located at the northeast corner of Court Avenue and Water Street, Des Moines, Iowa, from April 1, 2013 until December 31, 2017, for the consideration of 8% of gross revenues, increasing to 10% if annual revenues exceed $500,000, and 11.5% if revenues exceed $500,000, 10% of catering revenues and 50% of cart space rentals and facility use fees for The Hub Spot.

2. A public hearing shall be held on April 22, 2013 at 5:00 pm in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

3. The City Clerk is authorized and directed to publish notice of the proposal and hearing in the form hereto attached not less than four or more than twenty days from the date of the hearing.

(Council Communication 13- *174*)

Moved by _____*Hensley*_____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED				APPROVED

T. M. Franklin Cownie, Mayor

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.

Diane Rauh _____ City Clerk