

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by **9 a.m. Friday**. Contact the Mayor's Legislative team with questions

Date of Request: June 18, 2026

1. Please mark one: Bill Request or Resolution Request

2. Does this request directly impact property within .5 miles of the South Platte River (Check map [HERE](#)) Yes No

3. Does this item fall under XO 66 (Prop 123) requiring it to skip Mayor-Council Yes No

4. Do you need to request a Waiver Request for this item Yes No

5. Type of Request:

Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment

Dedication/Vacation Appropriation/Supplemental DRMC Change

Other:

6. **Title:** Approves a concession agreement with Mission Yogurt, Inc. d/b/a Etai's Breakfast and Burgers for guaranteed rent (i.e. Minimum Annual Guarantee (MAG)) of \$472,000.00 plus the Percentage Fee of gross sales, 16% Food & Beverage Sales, 18% Alcohol Sales if the Percentage Fee exceeds MAG and for 12 years to design, build, and manage a Food & Beverage location on Concourse B West Subcore 2 at Denver International Airport, in Council District 11 (PLANE-202579222).

7. **Requesting Agency:** Department of Aviation

8. **Contact Person:**

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Pamela DeChant, SVP Concessions	Name: Christopher Lowell
Email: Pamela.Dechant@flydenver.com	Email: Christopher.Lowell@flydenver.com

9. **General description or background of proposed request. Attach executive summary if more space needed:**

Denver International Airport has renegotiated the existing Concession Agreement with Mission Yogurt, Inc. d/b/a Etai's Breakfast and Burgers ("Etai's") and entered into a new agreement to transition Etai's from the Great Hall to Concourse B, aligning with the Concession Master Plan product mix and better serving the traveling public post-security.

The terms of the Etai's Agreement, which are in line with current market conditions, require Etai's to design, build, and manage a Food and Beverage location on Concourse B West Subcore 2 featuring Casual Dining with a Bar. The term of this agreement is 12 years, allowing the concessionaire to amortize their capital investment in building out this 2,057.9 square-foot location. No funding or capital investment is required from DEN, as the space will be turned over as-is.

This agreement supports Vision 100's goal of "Growing Our Infrastructure" by adding new concession opportunities to meet future passenger demands, which will enhance customer experience and increase non-aeronautical revenue.

10. **City Attorney assigned to this request (if applicable):** David Steinberger

11. **City Council District:** District 11

****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):
Concession Agreement

Vendor/Contractor Name (including any dba's): Mission Yogurt, Inc. d/b/a Etai's Breakfast and Burgers

Contract control number (legacy and new): Contract No. PLANE- 202579222

Location: Denver International Airport

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):
12 years

Contract Amount (indicate existing amount, amended amount and new contract total):
Initial MAG: \$472,000.00.

The Percentage Fee (i.e. 16% Food & Beverage Sales, 18% Alcohol Sales) is still applicable if the Percentage Fee exceeds MAG

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
Initial MAG: \$472,000.00.	N/A	Initial MAG: \$472,000.00.
The percentage Fee is applicable if it exceeds MAG in any year: 16% Food & Beverage Sales, 18% Alcohol Sales		The percentage Fee is applicable if it exceeds MAG in any year: 16% Food & Beverage Sales, 18% Alcohol Sales

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
12 years	N/A	12 years

Scope of work: Mission Yogurt, Inc. will design, build and manage Etai's Breakfast and Burgers on Concourse B West Subcore 2. Mission Yogurt, Inc. has committed to investing a minimum of \$3,212,381.90 to design and build this space. To amortize their capital investment, they will receive a contract term of twelve (12) years. Department of Aviation (DEN) will receive the guaranteed rent (i.e. MAG) of \$472,000.00 and the Percentage Fee for gross sales; 16% Food & Beverage Sales, 18% Alcohol Sales if the Percentage Fee exceeds MAG. The terms outlined above are what were agreed to in the Second Release and Settlement Agreement by Mission Yogurt, Inc.

Was this contractor selected by competitive process? No **If not, why not?** Parties entered into Second Release and Settlement Agreement

Has this contractor provided these services to the City before? Yes No

Source of funds: Revenue

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

While no ACDBE goal is currently assigned, the Airport intends to implement a future ACDBE goal that will not exceed the 33% goal that was included in the RFP. M/WBE Goal: 25%

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Who are the subcontractors to this contract? ACDBE is expected to be Mission Yogurt, Inc. (if that firm is recertified as an ACDBE firm), and M/WBE firms will be selected by the concessionaire's selected General Contractor, after the execution of the concession agreement and the construction contract. The M/WBE firms are reviewed and approved by DSBO prior to DEN's issuance of Notice to Proceed with construction for the concession location. A Notice to Proceed is provided by DEN to the concessionaire after all applicable documents, such as Bonds, Insurance, Permits, and DSBO approval, have been provided by the concessionaire, and their selected general contractor to begin construction of the concession location.

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