

BILL/ RESOLUTION REQUEST

1. Title: Approve the DIA Concession Execution of Non-Disturbance and Attornment Agreement with Skyport Development and Cantina Grille.

2. Requesting Agency: DIA

3. Contact Person with actual knowledge of proposed ordinance

Name:Lisa Torres

Phone:(303) 342-2518

Email:Lisa.Torres@flydenver.com

4. Contact Person with actual knowledge of proposed ordinance who will present the item at Mayor Council and who will be available for first and second reading, if necessary

Name:Brian Elms

Phone:303-342-2278

Email:brian.elms@flydenver.com

5. Describe the proposed ordinance, including what the proposed ordinance is intended to accomplish, who's involved

a. Scope of Work

A Non-Disturbance and Attornment Agreement among the City, Skyport Development Company (master developer of B Mezzanine) and F&B Concessions, LLC dba Cantina Grille (a sub-lessee of Skyport Development):

A Non-Disturbance, Attornment and Concession Agreement is a conditional right granted to sub-lessee to retain its leasehold in the event of default by Skyport Development Company through no fault of sub-lessee and grants a Conditional Assignment to City of Skyport's rights and obligations under the sub-lease.

b. Duration

N/A

c. Location

DIA

d. Affected Council District

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e. Benefits

Allows the airport to take control of the management of the sublease agreement.

f. Costs

None.

6. Is there any controversy surrounding this ordinance, groups or individuals who may have concerns about it? Please explain.

No.

Bill Request Number: BR10-0692

Date: 8/4/2010