

## **BILL/ RESOLUTION REQUEST**

**1. Title:** Approves a fifth amendment to the agreement with Trugoy, Inc. TCBY to extend the term, reduce hours of operation, reduce the MAG, reduce percent compensation to a sliding scale, require 1% payment to the Joint Marketing Fund, require renovations, and require 100% ACDBE participation (AC36003).

**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**

It is in the best interest of the City and traveling public to continue to provide services without interruption. This Fifth Amendment to Agreement will make the following term changes effective 9/1/2010: 1, the term will be extended to 12/31/2013; 2, reduce the hours of operation from 16 to 12 hours per day; 3, reduce the MAG from \$104,892 to \$50,000, 4) reduce the % compensation from 16% to a sliding scale of 10%,12%,14% increasing every million dollars in sales; 5, on 1/1/2011 begin paying 1% of sales into the Joint Marketing Fund; 6, require renovations in the amount of \$11,686; and 7, 100% ACDBE Participation.

**b. Duration**

02/28/1995 to 12/31/2013

**c. Location**

DIA

**d. Affected Council District**

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**e. Benefits**

Products and services continue to be provided to the traveling public.

**f. Costs**

Revenue Agreement

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

No.

**Bill Request Number: BR11-0220**

**Date: 3/21/2011**